

NO. 74

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

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TUESDAY, MAY 19, 2015

**Tuesday, May 19, 2015**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

To those in Philippi Paul wrote:

“Do nothing out of selfish ambition or vain conceit, but in humility consider others better than yourselves.” (Philippians 2:3)

Join me as we bow and pray:

Holy God, we are truly thankful that Your servants here in the Senate of South Carolina are individuals who are typically confident and sure. After all, Lord, their responsibilities are so very great, and the expectations which are laid upon them 24/7 by the residents of their districts are equally huge. We value the dedication of each Senator, O God, and we are grateful for their service to our State. So, with nine days remaining in this regular session, we ask that you bless each of these leaders with the fortitude -- and the humility -- still to accomplish much that will prove beneficial and good for our citizens. In Your loving name we pray this, dear Lord. Amen.

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

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2015, and to expire January 1, 2020

At-Large:

David M. Heath, 2427 Terrace Way, Columbia, SC 29205 *VICE* Alan D. Gardner (resigned)

Referred to the Committee on Education.

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Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2014, and to expire September 30, 2017

Occupational Therapy Assistant:

Melissa H. Hevia, 324 Old Shealy Road, Chapin, SC 29036 *VICE* Ms. Linda Remick (resigned)

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2015, and to expire June 9, 2018

Residential Care Administrator:

Melissa T. Yetter, 202 Player Way, Simpsonville, SC 29681 *VICE* Betty K. Tolbert (resigned)

Referred to the Committee on Medical Affairs.

#### **REGULATION WITHDRAWN**

The following was received:

Document No. 4540

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-61-30 and 44-78-65

SUBJECT: Emergency Medical Services

Received by Lieutenant Governor March 24, 2015

Referred to Medical Affairs Committee

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn May 14, 2015

#### **REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4546

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10,

50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-

11-520, 50-11-530, 50-11-854, 50-11-2200, and 50-11-2210

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**TUESDAY, MAY 19, 2015**

SUBJECT: Wildlife Management Area Regulations; Turkey Hunting Rules and Seasons; and Either-sex Days and Antlerless Deer Limits for Private Lands in Game Zones 1-6

Received by Lieutenant Governor February 2, 2015

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration June 2, 2015

May 15, 2015 Withdrawn and Resubmitted

**Doctor of the Day**

Senator CAMPSSEN introduced Dr. Alexander Ramsay of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

At 12:15 P.M., Senator VERDIN requested a leave of absence for Friday, May 22, 2015 and Friday, May 29, 2015.

**Leave of Absence**

At 12:17 P.M., Senator SABB was granted a leave of absence for the day.

**CO-SPONSOR REMOVED**

The following co-sponsor was removed from the respective Bill:  
S. 130 Sen. Verdin

**Privilege of the Chamber**

On motion of Senator BRYANT, on behalf of Senators FAIR and CORBIN, the Privilege of the Chamber, to that area behind the rail, was extended to Mr. Casey Wickline.

**Privilege of the Chamber**

On motion of Senator BRYANT, on behalf of Senator SETZLER, the Privilege of the Chamber, to that area behind the rail, was extended to Sheriff Jay Koon and his wife Kim.

**Privilege of the Chamber**

On motion of Senator BRYANT, on behalf of Senators MATTHEWS and KIMPSON, the Privilege of the Chamber, to that area behind the rail, was extended to the friends and family of the Ellore 21.

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**Remarks to be Printed**

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

**RECALLED**

H. 3840 -- Reps. Clemmons, H.A. Crawford, Johnson, George, Hardwick, Hayes and Ryhal: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO REDESIGNATE THE VARIOUS 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.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

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

**RECALLED**

H. 4076 -- Reps. Pitts and Willis: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS, TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF LAURENS COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO MAKE TECHNICAL CORRECTIONS.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

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

**RECALLED**

H. 4106 -- Reps. Long, Lucas, Norrell and Yow: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF

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SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO DELETE TWO PRECINCTS, ADD NINE PRECINCTS, AND REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

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

**RECALLED**

H. 3888 -- Reps. Cole, Allison, Brannon, Chumley, Forrester, Hicks, Mitchell and Tallon: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CONSOLIDATE AND RENAME CERTAIN 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.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

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

**RECALLED**

H. 4135 -- Reps. Bedingfield, Hamilton, G.R. Smith, Burns, Allison, Willis, Putnam, Bannister, Chumley, Dillard, Henderson, Loftis, Nanney and Stringer: A BILL TO AMEND ARTICLE 18, CHAPTER 53, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REVISE THE MANNER IN WHICH MEMBERS OF THE BOARD ARE SELECTED, TO REVISE THE TERMS OF OFFICE OF MEMBERS OF THE BOARD, AND TO REVISE OR PROVIDE FOR OTHER PROVISIONS RELATING TO THE SELECTION OF BOARD MEMBERS.

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Senator ALLEN asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

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

**RECOMMITTED**

S. 740 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR WASTEWATER FACILITY CONSTRUCTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4485, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CLEARY, the Resolution was recommitted to Committee on Medical Affairs.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 785 -- Senator Campsen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE ISLE OF PALMS EXCHANGE CLUB FOR ITS OUTSTANDING SERVICE TO THE COMMUNITY, ITS SUPPORT OF STUDENTS IN THE AREA, AND ITS WORK TO PREVENT CHILD ABUSE.

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The Senate Resolution was adopted.

S. 786 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PALMETTO COMPREHENSIVE HEALTH CARE ACT" BY ADDING CHAPTER 18 TO TITLE 44 SO AS TO CREATE A PUBLICLY FINANCED SINGLE-PAYER HEALTH CARE PROGRAM AVAILABLE TO ALL RESIDENTS OF THE STATE EQUALLY; TO PROVIDE DEFINITIONS FOR TERMS USED IN THE CHAPTER; TO ALLOW NONRESIDENTS TO RECEIVE PROGRAM BENEFITS FOR A CERTAIN TIME PERIOD; TO MAKE RESIDENTS WHO MOVE OUT OF STATE INELIGIBLE TO RECEIVE PROGRAM BENEFITS AFTER A CERTAIN TIME PERIOD; TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO

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PROMULGATE REGULATIONS TO RAISE AWARENESS OF THE PROGRAM AMONG RESIDENTS AND HEALTH CARE PROFESSIONALS AND TO FACILITATE ENROLLMENT IN THE PROGRAM; TO APPLY FOR WAIVERS TO ALLOW THE STATE TO OPERATE MEDICARE, MEDICAID, AND OTHER FEDERAL PROGRAMS AS PART OF THE PROGRAM; TO ESTABLISH BENEFITS PROVIDED FOR BY THE PROGRAM INCLUDING, BUT NOT LIMITED TO, PRIMARY CARE, PREVENTIVE CARE, DENTAL AND VISION CARE, PRESCRIPTION DRUG COVERAGE, MATERNITY AND NEWBORN CARE, AND MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES; TO PROHIBIT PRIVATE INSURANCE COMPANIES FROM SELLING HEALTH INSURANCE THAT PROVIDES BENEFITS COVERED BY THE PROGRAM AND TO ALLOW THESE COMPANIES TO SELL POLICIES THAT PROVIDE COVERAGE FOR BENEFITS NOT COVERED BY THE PROGRAM; TO PROHIBIT THE PROGRAM AND HEALTH CARE PROFESSIONALS FROM CHARGING INDIVIDUALS ANY AMOUNTS FOR RECEIVING HEALTH CARE SERVICES INCLUDING, BUT NOT LIMITED TO, PREMIUMS, COPAYS, DEDUCTIBLES, AND COINSURANCE; TO PROVIDE FOR THE PROGRAM TO ISSUE INDIVIDUALS A PROGRAM IDENTIFICATION CARD TO PRESENT TO HEALTH CARE PROVIDERS TO RECEIVE SERVICES WITHOUT CHARGE; TO REQUIRE THE BENEFITS PACKAGE TO PROVIDE ADDITIONAL BENEFITS FOR THOSE INDIVIDUALS WHO ARE ELIGIBLE FOR MEDICAID, THE CHILDREN'S HEALTH INSURANCE PROGRAM, AND MEDICARE; TO ESTABLISH A DRUG FORMULARY SYSTEM, AS PART OF WHICH THE DEPARTMENT PURCHASES DRUGS WHOLESAL AND PROMOTES THE USE OF GENERIC MEDICATION; TO PROVIDE A PROCESS FOR INDIVIDUALS TO APPEAL ADVERSE COVERAGE DECISIONS; TO PROVIDE A PROCESS FOR THE PUBLIC TO MAKE RECOMMENDATIONS RELATED TO THE BENEFITS COVERED BY THE PROGRAM; TO COMPENSATE HEALTH CARE PROFESSIONALS USING A STANDARD FEE; TO COMPENSATE HOSPITALS, NURSING HOMES, AND COMMUNITY HEALTH CENTERS AS PART OF A GLOBAL PAYMENT SYSTEM; TO PAY PHARMACISTS A REASONABLE DISPENSING FEE AND THE WHOLESAL COST OF PRESCRIPTION DRUGS; TO REQUIRE THE PROGRAM TO BE

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FUNDED BY PAYROLL ASSESSMENTS AND NONPAYROLL INCOME ASSESSMENTS; TO CREATE A PALMETTO COMPREHENSIVE HEALTH CARE PROGRAM FUND IN WHICH TO DEPOSIT ALL FUNDS COLLECTED THROUGH PAYROLL AND NONPAYROLL INCOME ASSESSMENTS AND OTHER MONIES COLLECTED BY THE DEPARTMENT FOR OPERATION OF THE PROGRAM; TO REQUIRE THE ESTABLISHMENT OF A PROGRAM ADVISORY COMMITTEE TO PERFORM CERTAIN FUNCTIONS; AND TO PROVIDE FOR CERTAIN REPORTING OF THE PROGRAM AND THE DEPARTMENT; TO AMEND SECTION 11-35-310, AS AMENDED, RELATING TO DEFINITIONS OF TERMS USED IN THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SO AS TO EXEMPT THE PROGRAM FROM THE REQUIREMENTS OF THE CONSOLIDATED PROCUREMENT CODE; BY ADDING SECTION 12-6-650 SO AS TO PROVIDE FOR THE COLLECTION OF PAYROLL AND NONPAYROLL INCOME ASSESSMENTS, TO LIMIT THE PAYROLL ASSESSMENTS TO INCOME SUBJECT TO THE MEDICARE TAX, TO REQUIRE THE ASSESSMENTS TO BE GRADUATED TO CHARGE HIGHER RATES TO INDIVIDUALS EARNING HIGHER INCOMES, AND TO TREAT RESIDENTS WORKING OUTSIDE OF THE STATE AS SELF-EMPLOYED INDIVIDUALS; TO AMEND SECTION 44-6-30, AS AMENDED, RELATING TO THE POWERS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ADMINISTER THE PALMETTO COMPREHENSIVE HEALTH CARE PROGRAM; AND FOR OTHER PURPOSES.

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Read the first time and referred to the Committee on Medical Affairs.

S. 787 -- Senator Fair: A SENATE RESOLUTION TO PROCLAIM THAT IF THE UNITED STATES' SUPREME COURT RULES BY JUDICIAL FIAT TO OVERTURN THE VOTES OF THE PEOPLE AND OF LEGISLATURES THROUGHOUT THE STATES AND SO REWRITE THOSE STATES' CONSTITUTIONS, THAT THE TRADITION OF ALLOWING THE UNITED STATES' SUPREME COURT TO HOLD THE FINAL AUTHORITY ON JUDICIAL RULINGS BE ABANDONED AND THAT HENCEFORTH A

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MAJORITY OF STATES BE ALLOWED TO OVERRIDE A SUPREME COURT DECISION AND MAKE THE DECISION VOID.

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

S. 788 -- Senator Campsen: A BILL TO AMEND SECTION 48-39-150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPROVAL OF PERMITS TO ALTER CRITICAL AREAS, SO AS TO ENACT THE "MANAGED TIDAL IMPOUNDMENT PRESERVATION ACT", BY EXEMPTING PROPERTY THAT IS DEEMED ELIGIBLE UNDER A UNITED STATES ARMY CORP OF ENGINEERS' GENERAL PERMIT FROM PERMITTING REQUIREMENTS IN CERTAIN CIRCUMSTANCES AND GRANTING ENFORCEMENT AUTHORITY TO THE COASTAL DIVISION OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

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

S. 789 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF PHARMACY, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES; AND FINES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4521, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 790 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4554, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 791 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO ARTICLE 8, OFFICE OF STATE FIRE MARSHAL, DESIGNATED AS REGULATION DOCUMENT NUMBER 4555, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 792 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT TRUST FUND, DESIGNATED AS REGULATION DOCUMENT NUMBER 4475, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 793 -- Senators Shealy, L. Martin, Alexander and Bryant: A SENATE RESOLUTION TO CONGRATULATE MR. JOHN SCHAFER OF PICKENS COUNTY ON THE OCCASION OF HIS SEVENTIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 794 -- Senator Reese: A SENATE RESOLUTION TO COMMEND THE MEMBERS OF INMAN FIRST BAPTIST CHURCH FOR THEIR UNWAVERING COMMITMENT, DEDICATION AND CONTRIBUTIONS TO THEIR COMMUNITY IN RECOGNITION OF THEIR ONE HUNDRED FIFTY YEARS OF

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GIVING HOPE AND PROCLAIM JULY 28, 2015 AS "INMAN FIRST BAPTIST CHURCH DAY".

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The Senate Resolution was adopted.

S. 795 -- Senators McElveen and Johnson: A SENATE RESOLUTION TO ACKNOWLEDGE AND COMMEND THE WILSON HALL VARSITY BASEBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A WINNING SEASON AND TO APPLAUD THEM FOR GARNERING THE 2015 CLASS AAA SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 796 -- Senators McElveen and Johnson: A SENATE RESOLUTION TO CELEBRATE THE THOMAS SUMTER ACADEMY GIRLS SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR THEIR STELLAR SEASON AND TO CONGRATULATE THEM ON CAPTURING THE 2015 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION (SCISA) CLASS AAA STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

H. 3027 -- Reps. Clemmons, Long, G. R. Smith, Erickson, Putnam, Bedingfield, Loftis and McCoy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-65-140 SO AS TO REQUIRE THAT BY OCTOBER THIRTY-FIRST OF EACH YEAR, EACH STATE AGENCY SHALL SUBMIT A REPORT DETAILING ITS FEDERAL RECEIPTS AND DEVELOPING A PLAN SHOULD ITS FEDERAL RECEIPTS BE REDUCED, TO REQUIRE THAT BY FEBRUARY FIFTEENTH OF EACH YEAR, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE AND THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE MUST PLACE THE MOST RECENTLY RECEIVED REPORT ON THE AGENDA FOR REVIEW AND CONSIDERATION.

Read the first time and referred to the Committee on Finance.

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H. 3794 -- Reps. Forrester, Burns, Sottile, Spires, V. S. Moss, Gambrell, Bales, Kennedy, Tallon, Allison, Bedingfield, Daning, Henderson, Hicks, Hixon, G. R. Smith and Thayer: A BILL TO AMEND SECTION 56-1-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND RENEWAL OF A DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT A FIVE YEAR DRIVER'S LICENSE MUST BE ISSUED TO A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE WHEN HE RENEWS HIS LICENSE; AND TO AMEND SECTION 56-1-220, RELATING TO VISION SCREENINGS THAT ARE REQUIRED FOR A PERSON TO RENEW HIS DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERSON TO SUBMIT A VISION SCREENING CERTIFICATE TO THE DEPARTMENT OF MOTOR VEHICLES DURING THE FIFTH YEAR OF A TEN YEAR DRIVER'S LICENSE, AND THE PROVISION THAT ALLOWS A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE TO OBTAIN A DRIVER'S LICENSE THAT IS VALID FOR FIVE YEARS.

Read the first time and referred to the Committee on Transportation.

H. 4186 -- Reps. H. A. Crawford, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND JOEY TRAIL, AN ENGLISH LANGUAGE ARTS TEACHER AT FORESTBROOK MIDDLE SCHOOL, FOR HIS

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COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA AND TO CONGRATULATE HIM UPON BEING NAMED THE 2015-2016 TEACHER OF THE YEAR FOR HORRY COUNTY SCHOOLS.

The Concurrent Resolution was adopted, ordered returned to the House.

**Message from the House**

Columbia, S.C., May 19, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 47 -- Senators Malloy, Kimpson, Johnson, Pinckney, Thurmond, Setzler, Grooms, Lourie, McElveen, Allen, Shealy, Coleman, Campsen, Scott and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-240, SO AS TO PROVIDE THAT ALL STATE AND LOCAL LAW ENFORCEMENT OFFICERS MUST BE EQUIPPED WITH BODY-WORN CAMERAS.

Very respectfully,  
Speaker of the House

Received as information.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

S. 384 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ALONG CLEVELAND STREET IN THE TOWN OF ELLOREE "DAVID EARLE POLIN BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 782 -- Senator Sabb: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOLLIE E. COOPER, JR., MEMBER OF THE SANTEE ELECTRIC COOPERATIVE INC. BOARD OF TRUSTEES, UPON THE OCCASION OF HIS RETIREMENT FROM

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THE BOARD AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

S. 783 -- Senator Coleman: A CONCURRENT RESOLUTION TO CONGRATULATE COACH JOE PITT, ATHLETIC DIRECTOR AND HEAD BASKETBALL COACH OF RICHARD WINN ACADEMY, UPON THE OCCASION OF HIS INDUCTION INTO THE SOUTH CAROLINA BASKETBALL COACHES ASSOCIATION'S HALL OF FAME.

Returned with concurrence.

Received as information.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Joint Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3914 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO PARTICLE ACCELERATORS (TITLE C), DESIGNATED AS REGULATION DOCUMENT NUMBER 4482, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**READ THE THIRD TIME  
SENT TO THE HOUSE**

The following Bills and Joint Resolutions were read the third time and ordered sent to the House of Representatives:

S. 731 -- Senator Hutto: A BILL TO AMEND ACT 581 OF 1992, RELATING TO BAMBERG-EHRHARDT SCHOOL DISTRICT ONE, SO AS TO REAPPORTION THE FIVE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF BAMBERG-EHRHARDT SCHOOL DISTRICT ONE MUST BE

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ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

S. 732 -- Senator Hutto: A BILL TO AMEND ACT 581 OF 1992, RELATING TO DENMARK-OLAR SCHOOL DISTRICT TWO IN BAMBERG COUNTY, SO AS TO REAPPORTION THE FIVE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF DENMARK-OLAR SCHOOL DISTRICT NUMBER TWO MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

S. 741 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING COMMUNITY RESIDENTIAL CARE FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4484, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 742 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO SHELLFISH, DESIGNATED AS REGULATION DOCUMENT NUMBER 4483, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**AMENDED, READ THE SECOND TIME**

H. 3304 -- Reps. Brannon, Allison, Cole, Hicks, Tallon, Nanney, Henderson, Loftis, Hamilton, Stringer, Bannister and Putnam: A BILL TO CREATE THE LANDRUM FIRE AND RESCUE DISTRICT IN GREENVILLE AND SPARTANBURG COUNTIES, TO ESTABLISH A GOVERNING COMMISSION, AND TO PRESCRIBE THE FUNCTIONS AND POWERS OF THE COMMISSION.

The Senate proceeded to the consideration of the Bill.

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Senator CORBIN proposed the following amendment (JUD3304.001), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 22, in Section 4-23-1200(A), as contained in SECTION 1, and inserting therein:

/ subsection (B). The Spartanburg County Council and the Greenville County Council are authorized to enlarge, diminish, or alter the boundaries of the district located within their respective counties pursuant to the provisions of Article 3 of Chapter 11 of Title 6. /

Re-number sections to conform.

Amend title to conform.

The question then being the second reading of the Bill.

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

**Ayes 35; Nays 2**

**AYES**

Alexander	Bennett	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Fair	Grooms
Hayes	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	Matthews
Nicholson	O'Dell	Peeler
Scott	Setzler	Shealy
Thurmond	Turner	Verdin
Williams	Young	

**Total--35**

**NAYS**

Bright	Bryant
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**Total--2**

The Bill was read the second time, passed and ordered to a third

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**READ THE SECOND TIME**

H. 3215 -- Reps. Govan, Robinson-Simpson and Willis: A JOINT RESOLUTION TO CREATE A STUDY COMMITTEE TO REFORM ALIMONY, TO PROVIDE FOR MEMBERSHIP OF THE STUDY COMMITTEE AND THE METHOD OF APPOINTMENT OF MEMBERS, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY, AND TO INCLUDE A SUNSET PROVISION FOR THE STUDY COMMITTEE.

The Senate proceeded to a consideration of the Joint Resolution, the question being the second reading of the Joint Resolution.

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

**Ayes 41; Nays 0**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Johnson	Kimpson
Leatherman	Lourie	Malloy
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey
Matthews	McElveen	Nicholson
O'Dell	Peeler	Scott
Setzler	Shealy	Sheheen
Thurmond	Turner	Verdin
Williams	Young	

**Total--41**

**NAYS**

**Total--0**

The Joint Resolution was read the second time, passed and ordered to a third reading.

[SJ]

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**READ THE SECOND TIME**

H. 3846 -- Reps. Yow and Henegan: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD, OR ITS SUCCESSOR STATE AGENCY, TO TRANSFER OWNERSHIP OF THE CHERAW NATIONAL GUARD ARMORY TO THE TOWN OF CHERAW.

The Senate proceeded to a consideration of the Joint Resolution, the question being the second reading of the Joint Resolution.

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

**Ayes 42; Nays 0**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Corbin
Courson	Cromer	Davis
Fair	Gregory	Grooms
Hayes	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Lourie	Malloy
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey
Matthews	McElveen	Nicholson
O'Dell	Peeler	Pinckney
Scott	Setzler	Shealy
Sheheen	Thurmond	Turner
Verdin	Williams	Young

**Total--42**

**NAYS**

**Total--0**

The Joint Resolution was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

[SJ]

**TUESDAY, MAY 19, 2015**

S. 703 -- Senator Hayes: A BILL TO AMEND SECTION 59-40-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS OF CHARTER SCHOOLS FROM CERTAIN PROVISIONS APPLICABLE TO PUBLIC SCHOOLS, THE POWERS AND DUTIES OF A CHARTER SCHOOL, AND ADMISSIONS TO CHARTER SCHOOLS, SO AS TO AUTHORIZE A SCHOOL LEADER TO BE HIRED TO ASSIST WITH THE DAILY OPERATION OF THE SCHOOL, TO PROVIDE THAT EMPLOYEES, BOARD MEMBERS, AND STAFF OF THE CHARTER SCHOOL ARE SUBJECT TO THE ETHICS AND GOVERNMENT ACCOUNTABILITY REQUIREMENTS APPLICABLE TO PUBLIC MEMBERS AND PUBLIC EMPLOYEES, AND TO REQUIRE A STATEMENT OF COMPLIANCE ASSURANCE TO BE FILED ANNUALLY WITH THE SCHOOL'S SPONSOR AND THE STATE DEPARTMENT OF EDUCATION.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (NL\703C001.NL.SD15), which was adopted:

Amend the bill, as and if amended, by striking item (11) of Section 59-40-50(B) as contained in subsection B. of SECTION 1 and inserting:

/ (11) be subject to the ethics and government accountability requirements for public members and public employees as contained in Chapter 13, Title 8. For purposes of this subsection, employees of the charter school board are considered public employees. The charter contract in accordance with Section 59-40-60 (B) shall contain a statement of assurance of ethical compliance on behalf of the school. /

Renumber sections to conform.

Amend title to conform.

Senator HAYES, explained the Bill.

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

**Ayes 43; Nays 0**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman

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Corbin	Courson	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Johnson	Kimpson
Leatherman	Lourie	Malloy
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey
Matthews	McElveen	Nicholson
O'Dell	Peeler	Pinckney
Reese	Scott	Setzler
Shealy	Sheheen	Thurmond
Turner	Verdin	Williams
Young		

**Total--43**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**CARRIED OVER**

H. 3266 -- Reps. Hiott, Bannister, Brannon, Erickson, Henderson, Collins, Sandifer, Corley, Tallon, Taylor, Thayer, Wells, Felder, Kirby, Hixon, Hodges, Riley, Ott, Goldfinch, Hardee, Gagnon, Pitts, Finlay, Southard, D.C. Moss, Chumley, Yow, Huggins, Kennedy, Rivers and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 82 TO TITLE 15 SO AS TO ESTABLISH THE "TRESPASSER RESPONSIBILITY ACT" WHICH PROVIDES A LIMITATION ON LIABILITY BY LAND POSSESSORS TO TRESPASSERS, AND TO PROVIDE EXCEPTIONS.

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

S. 505 -- Senators L. Martin, Hembree and Shealy: A BILL TO AMEND SECTION 24-21-440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERIODS OF PROBATION, SO AS TO TOLL THE PERIOD DURING PERIODS OF CIVIL COMMITMENT; TO AMEND SECTION 24-21-560, AS AMENDED,

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RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO TOLL THE COMMUNITY SUPERVISION PERIOD DURING PERIODS OF CIVIL COMMITMENT; AND TO AMEND SECTION 24-21-670, RELATING TO PERIODS OF PAROLE, SO AS TO TOLL THE PAROLE PERIOD DURING PERIODS OF CIVIL COMMITMENT.

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

**COMMITTEE AMENDMENT ADOPTED  
CARRIED OVER**

S. 484 -- Senators Shealy, Jackson and Cleary: A BILL TO AMEND SECTION 59-10-310 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF ELEMENTARY SCHOOL FOOD SERVICE MEALS AND COMPETITIVE FOOD REQUIREMENTS, TO PROVIDE THAT ALL SCHOOL SERVICE MEALS AND COMPETITIVE FOODS PROVIDED IN KINDERGARTEN THROUGH TWELFTH GRADE DURING THE ACADEMIC SCHOOL YEAR MUST MEET OR MAY EXCEED THE NUTRITIONAL REQUIREMENTS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, TO PROVIDE THAT A SCHOOL DISTRICT BOARD OF TRUSTEES MAY ADOPT A MORE RESTRICTIVE POLICY AND THE POLICY DOES NOT RESTRICT THE FOOD A PARENT OR GUARDIAN MAY PROVIDE FOR STUDENT CONSUMPTION AT SCHOOL, AND TO PROVIDE THAT ALL A LA CARTE ITEMS SOLD FOR STUDENT CONSUMPTION MUST BE INCLUDED ON SCHOOL MENUS IN ADDITION TO THE REGULAR MEAL; TO AMEND SECTION 59-10-330(B), RELATING TO THE COORDINATED SCHOOL HEALTH ADVISORY COUNCIL AND THE DEVELOPMENT OF HEALTH WELLNESS PLANS, TO PROVIDE THAT THE SCHOOL HEALTH IMPROVEMENT PLAN MUST REPORT COMPLIANCE WITH THE REQUIREMENTS CONTAINED IN SECTION 59-10-310.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (484R001.LS.KS), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 1-19, and inserting:

[SJ]

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/ “Section 59-10-310. (A) In an effort to promote optimal healthy eating patterns and academic success, the State Board of Education by policy shall establish requirements for elementary school food service meals and competitive foods based upon the recommendations outlined in the State Department of Education Task Force on Student Nutrition and Physical Activity Report, National School Lunch Act, and the most recent applicable Dietary Guidelines for Americans all school food service meals and competitive foods provided in kindergarten through twelfth grade during the academic school year, which must meet or may exceed, the nutritional requirements established by the United States Department of Agriculture Food and Nutrition Service. The nutritional requirements must be continuously updated to reflect the current United States Department of Agriculture Food and Nutrition Service standards. A school district board of trustees may adopt a more restrictive policy. This policy does not restrict the food that a parent or guardian may provide for student consumption at school.

(B) School fundraisers must be exempted from the requirements in this section; however, nothing in this section shall restrict or prohibit the Department from establishing policy with regard to school fundraisers, as authorized by the United States Department of Agriculture.” /

Renumber sections to conform.

Amend title to conform.

Senator HAYES explained the Bill.

On motion of Senator HAYES, the Bill was carried over.

#### ADOPTED

H. 3905 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LITTLE PEE DEE RIVER ALONG SOUTH CAROLINA HIGHWAY 57 IN DILLON COUNTY “MCINNIS BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THIS DESIGNATION.

The Resolution was adopted ordered returned to the House.

H. 3924 -- Reps. Hayes, George and McEachern: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF E. REAVES

[SJ]

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AVENUE FROM ITS INTERSECTION WITH FOREST DRIVE TO ITS INTERSECTION WITH JOAN DRIVE, THE PORTION OF JOAN DRIVE FROM ITS INTERSECTION WITH E. REAVES AVENUE TO ITS INTERSECTION WITH STAFFORD COURT, AND THE PORTION OF STAFFORD COURT FROM ITS INTERSECTION WITH JOAN DRIVE TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 “SUPERINTENDENT D. RAY ROGERS II WAY” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF FOREST DRIVE AND E. REAVES AVENUE AND AT THE INTERSECTION OF UNITED STATES HIGHWAY 301 AND STAFFORD COURT THAT CONTAIN THIS DESIGNATION.

The Resolution was adopted ordered returned to the House.

H. 4008 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF CALHOUN STREET AND MCARTHUR AVENUE IN THE TOWN OF DILLON “MAJOR BETHEA INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

The Resolution was adopted ordered returned to the House.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

At 1:28 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**COMMITTEE AMENDMENT TABLED, AMENDED**

**READ THE SECOND TIME**

H. 3114 -- Reps. Nanney, Hicks, Allison, Atwater, Ballentine, Bannister, Bingham, Brannon, Burns, Chumley, Clary, Corley, H.A. Crawford, Crosby, Daning, Delleney, Erickson, Forrester, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Hiott, Huggins, Kennedy, Limehouse, Loftis, Long, McCoy, Merrill, D.C. Moss,

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Newton, Pitts, Pope, Quinn, Ryhal, Sandifer, G.M. Smith, G.R. Smith, Stringer, Tallon, Taylor, Thayer, Yow, Wells, Willis, Hixon, Putnam, Rivers, V.S. Moss, Whitmire, Bedingfield, Hill, Duckworth and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 41, TITLE 44 SO AS TO ENACT THE “SOUTH CAROLINA PAIN-CAPABLE UNBORN CHILD PROTECTION ACT”, TO PROVIDE FINDINGS OF THE GENERAL ASSEMBLY, TO DEFINE NECESSARY TERMS, TO REQUIRE A PHYSICIAN TO CALCULATE THE PROBABLE POST-FERTILIZATION AGE OF AN UNBORN CHILD BEFORE PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED IF THE PROBABLE POST-FERTILIZATION AGE OF THE UNBORN CHILD IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO REQUIRE CERTAIN REPORTING BY PHYSICIANS WHO PERFORM ABORTIONS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PREPARE PUBLIC REPORTS THAT PROVIDE DATA ON ABORTIONS PERFORMED IN THE STATE AND TO PROMULGATE REGULATIONS, TO PROVIDE FOR A CIVIL RIGHT OF ACTION FOR CERTAIN INDIVIDUALS AGAINST A PHYSICIAN PERFORMING AN ABORTION IN VIOLATION OF THE ACT AND FOR INJUNCTIVE RELIEF, TO CREATE CRIMINAL PENALTIES, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

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

**Amendment No. P3**

Senators HUTTO and CLEARY proposed the following amendment (H-3114-2), which was ruled out of order:

Amend the committee amendment, as and if amended, by striking the committee amendment in its entirety and inserting:

/ SECTION 1. Chapter 41, Title 44 of the 1976 Code is amended by adding:

“Article 5

South Carolina Pain-Capable Unborn Child Protection Act

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Section 44-41-410. This article may be cited as the ‘South Carolina Pain-Capable Unborn Child Protection Act’.

Section 44-41-420. The General Assembly makes the following findings:

(1) Pain receptors (nociceptors) are present throughout the unborn child’s entire body and nerves link these receptors to the brain’s thalamus and subcortical plate by no later than twenty weeks.

(2) By eight weeks after fertilization, the unborn child reacts to touch. After twenty weeks, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example, by recoiling.

(3) In the unborn child, application of such painful stimuli is associated with significant increases in stress hormones known as the stress response.

(4) Subjection to such painful stimuli is associated with long-term harmful neurodevelopmental effects, such as altered pain sensitivity and, possibly, emotional, behavioral, and learning disabilities later in life.

(5) For the purposes of surgery on unborn children, fetal anesthesia is routinely administered and is associated with a decrease in stress hormones compared to their levels when painful stimuli are applied without such anesthesia.

(6) The position, asserted by some medical experts, that the unborn child is incapable of experiencing pain until a point later in pregnancy than twenty weeks after fertilization predominately rests on the assumption that the ability to experience pain depends on the cerebral cortex and requires nerve connections between the thalamus and the cortex. However, recent medical research and analysis, especially since 2007, provides strong evidence for the conclusion that a functioning cortex is not necessary to experience pain.

(7) Substantial evidence indicates that children born missing the bulk of the cerebral cortex, those with hydranencephaly, nevertheless experience pain.

(8) In adults, stimulation or ablation of the cerebral cortex does not alter pain perception, while stimulation or ablation of the thalamus does.

(9) Substantial evidence indicates that structures used for pain processing in early development differ from those of adults, using different neural elements available at specific times during development, such as the subcortical plate, to fulfill the role of pain processing.

(10) The position, asserted by some medical experts, that the unborn child remains in a coma-like sleep state that precludes the unborn child

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experiencing pain is inconsistent with the documented reaction of unborn children to painful stimuli and with the experience of fetal surgeons who have found it necessary to sedate the unborn child with anesthesia to prevent the unborn child from thrashing about in reaction to invasive surgery.

(11) Consequently, there is substantial medical evidence that an unborn child is capable of experiencing pain by twenty weeks after fertilization.

(12) It is the purpose of the State to assert a compelling state interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain.

(13) South Carolina's compelling state interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain is intended to be separate from and independent of South Carolina's compelling state interest in protecting the lives of unborn children from the stage of viability, and neither state interest is intended to replace the other.

(14) Mindful of *Leavitt v. Jane L.*, 518 U.S. 137 (1996), in which in the context of determining the severability of a state statute regulating abortion, the United States Supreme Court noted that an explicit statement of legislative intent specifically made applicable to a particular statute is of greater weight than a general savings or severability clause, it is the intent of the State that if any one or more provisions, sections, subsections, sentences, clauses, phrases or words of this article or the application thereof to any person or circumstance is found to be unconstitutional, the same is hereby declared to be severable and the balance of this article shall remain effective notwithstanding such unconstitutionality. Moreover, the State declares that it would have passed this article, and each provision, section, subsection, sentence, clause, phrase or word thereof, irrespective of the fact that any one or more provisions, sections, subsections, sentences, clauses, phrases or words, or any of their applications, were to be declared unconstitutional.

Section 44-41-430. For the purposes of this article:

(1) 'Abortion' means the use or prescription of any instrument, medicine, drug, or any other substance or device excluding the use of a contraceptive, an intrauterine device (IUD) or the morning after pill:

(a) to intentionally kill the unborn child of a woman known to be pregnant; or

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(b) to intentionally prematurely terminate the pregnancy of a woman known to be pregnant, with an intention other than to increase the probability of a live birth or of preserving the life or health of the child after live birth.

(2) ‘Attempt to perform or induce an abortion’ means an act, or an omission of a statutorily required act, that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in the performance or induction of an abortion in this State in violation of this article.

(3) ‘Department’ means the South Carolina Department of Health and Environmental Control.

(4) ‘Fertilization’ means the fusion of a human spermatozoon with a human ovum.

(5) ‘Medical emergency’ means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman that it necessitates the immediate abortion of her pregnancy without first determining post-fertilization age to avert her death or for which the delay necessary to determine post-fertilization age will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No condition must be considered a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

(6) ‘Physician’ means any person licensed to practice medicine and surgery or osteopathic medicine and surgery in this State.

(7) ‘Post-fertilization age’ means the age of the unborn child as calculated from the fusion of a human spermatozoon with a human ovum.

(8) ‘Probable post-fertilization age of the unborn child’ means what, in reasonable medical judgment, will with reasonable probability be the post-fertilization age of the unborn child at the time the abortion is planned to be performed or induced.

(9) ‘Reasonable medical judgment’ means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(10) ‘Severe fetal anomaly’ means that, in reasonable medical judgment, the unborn child has a profound and irremediable congenital or chromosomal anomaly that will most likely result in the natural death

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of the unborn child without life-sustaining medical treatment being administered upon the unborn child's birth.

(11) 'Unborn child' or 'fetus' each means an individual organism of the species homo sapiens from fertilization until live birth.

(11) 'Woman' means a female human being whether or not she has reached the age of majority.

Section 44-41-440. Except in the case of a medical emergency, rape, incest, or severe fetal anomaly no abortion must be performed or induced or be attempted to be performed or induced unless the physician performing or inducing it has first made a determination of the probable post-fertilization age of the unborn child or relied upon such a determination made by another physician. In making such a determination, the physician shall make such inquiries of the woman and perform or cause to be performed such medical examinations and tests as a reasonably prudent physician, knowledgeable about the case and the medical conditions involved, would consider necessary to perform in making an accurate diagnosis with respect to post-fertilization age.

Section 44-41-450. (A) No person shall perform or induce or attempt to perform or induce an abortion upon a woman when it has been determined, by the physician performing or inducing or attempting to perform or induce the abortion or by another physician upon whose determination that physician relies, that the probable post-fertilization age of the woman's unborn child is twenty or more weeks, except in the case of rape, incest, severe fetal anomaly, or in reasonable medical judgment, she has a condition which so complicates her medical condition as to necessitate the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No such greater risk must be considered to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

(B) When an abortion upon a woman whose unborn child has been determined to have a probable post-fertilization age of twenty or more weeks is not prohibited by subsection (A), the physician shall terminate the pregnancy in the manner which, in reasonable medical judgment, provides the best opportunity for the unborn child to survive, unless, in reasonable medical judgment, termination of the pregnancy in that manner would pose a greater risk either of the death of the pregnant woman or of the substantial and irreversible physical impairment of a

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major bodily function, not including psychological or emotional conditions, of the woman than would other available methods. No such greater risk must be considered to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

Section 44-41-460. (A) Any abortion performed in this State must be reported by the licensed facility on the standard form for reporting abortions to the state registrar, Department of Health and Environmental Control, within seven days after the abortion is performed. The names of the patient and physician may not be reported on the form or otherwise disclosed to the state registrar. The form must indicate from whom consent was obtained or circumstances waiving consent and must include:

(1) Post-fertilization age:

(a) if a determination of probable post-fertilization age was made, whether ultrasound was employed in making the determination, and the week of probable post-fertilization age determined; or

(b) if a determination of probable post-fertilization age was not made, the basis of the determination that a medical emergency existed.

(2) Method of abortion, of which the following was employed:

(a) medication abortion such as, but not limited to, mifepristone/misoprostol or methotrexate/misoprostol;

(b) manual vacuum aspiration;

(c) electrical vacuum aspiration;

(d) dilation and evacuation;

(e) combined induction abortion and dilation and evacuation;

(f) induction abortion with prostaglandins;

(g) induction abortion with intra-amniotic instillation such as, but not limited to, saline or urea;

(h) induction abortion; and

(i) intact dilation and extraction (partial-birth).

(3) Whether an intrafetal injection was used in an attempt to induce fetal demise such as, but not limited to, intrafetal potassium chloride or digoxin.

(4) Age of the patient.

(5) If the probable post-fertilization age was determined to be twenty or more weeks, whether the reason for the abortion was a medical emergency, rape, incest, or severe fetal anomaly, and if the reason was a medical emergency, the basis of the determination that the pregnant

woman had a condition which so complicated her medical condition as to necessitate the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions.

(6) If the probable post-fertilization age was determined to be twenty or more weeks, whether or not the method of abortion used was one that, in reasonable medical judgment, provided the best opportunity for the unborn child to survive and, if such a method was not used, the basis of the determination that termination of the pregnancy in that manner would pose a greater risk either of the death of the pregnant woman or of the substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions, of the woman than would other available methods.

(B) Reports required by subsection (A) shall not contain the name or the address of the patient whose pregnancy was terminated, nor shall the report contain any other information identifying the patient, except that each report shall contain a unique medical record identifying number, to enable matching the report to the patient's medical records. Such reports must be maintained in strict confidence by the department, must not be available for public inspection, and must not be made available except:

(1) to the Attorney General or solicitor with appropriate jurisdiction pursuant to a criminal investigation;

(2) to the Attorney General or solicitor pursuant to a civil investigation of the grounds for an action under Section 44-41-480(B);  
or

(3) pursuant to court order in an action under Section 44-41-480.

(C) By June thirtieth of each year, the department shall issue a public report providing statistics for the previous calendar year compiled from all of the reports covering that year submitted in accordance with this section for each of the items listed in subsection (A). Each such report also shall provide the statistics for all previous calendar years during which this section was in effect, adjusted to reflect any additional information from late or corrected reports. The department shall take care to ensure that none of the information included in the public reports could reasonably lead to the identification of any pregnant woman upon whom an abortion was performed, induced, or attempted.

(D) Any facility who fails to submit a report by the end of thirty days following the due date must be subject to a late fee of one thousand dollars for each additional thirty-day period or portion of a thirty-day

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period the report is overdue. Any physician required to report in accordance with this article who has not submitted a report, or has submitted only an incomplete report, more than six months following the due date, may, in an action brought by the department, be directed by a court of competent jurisdiction to submit a complete report within a period stated by court order or be subject to civil contempt. Intentional or reckless failure by any physician to conform to any requirement of this section, other than late filing of a report, constitutes 'unprofessional conduct' pursuant to Section 40-47-20(53). Intentional or reckless failure by any physician to submit a complete report in accordance with a court order constitutes 'unprofessional conduct' pursuant to Section 40-47-20(53). Intentional or reckless falsification of any report required under this section is a misdemeanor punishable by not more than one year in prison.

(E) Within ninety days of the effective date of this article, the Department of Health and Environmental Control shall adopt and promulgate forms and regulations to assist in compliance with this section. Subsection (A) shall take effect so as to require reports regarding all abortions performed or induced on and after the first day of the first calendar month following the effective date of such rules.

Section 44-41-470. Any physician who intentionally or knowingly fails to conform to any requirement in Section 44-41-440 and Section 44-41-450 is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars nor more than ten thousand dollars or imprisoned for not more than three years, or both. No part of the minimum fine may be suspended. For conviction of a third or subsequent offense, the sentence must be imprisonment for not less than sixty days nor more than three years, no part of which may be suspended.

Section 44-41-480. This article must not be construed to repeal, by implication or otherwise, Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion. An abortion that complies with this article but violates the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law must be considered unlawful as provided in such provision. An abortion that complies with the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion but violates this article must be considered unlawful as provided in this article. If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting

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abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order of injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect.”

SECTION 2. This act takes effect upon approval of the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Senator GROOMS explained the amendment.  
Senator BRIGHT spoke on the amendment.

**Point of Order**

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

The amendment was ruled out of order.

**Objection**

On motion of Senator HUTTO, with unanimous consent, the amendments prior to Amendment No. 6 be carried over.  
Senator MALLOY objected.

The question then was the adoption of the committee amendment.

The Committee on Medical Affairs proposed the following amendment (H-3114), which was tabled:

Amend the bill, as and if amended, page 5, by striking lines 5-11 and inserting:

/ (10) ‘Severe fetal anomaly’ means in reasonable medical judgment, the unborn child has a severe congenital or chromosomal anomaly that is incompatible with independent and sustained life after birth.

(11) Unborn child’ or ‘fetus’ each means an individual organism of the species homo sapiens from fertilization until live birth.

(12) ‘Woman’ means a female human being whether or not she has reached the age of majority.

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Section 44-41-440. (A) Except in the case of a medical emergency, rape, incest, or severe fetal anomaly no abortion must be performed or induced or be /

Amend further, page 5, by striking line 32 and inserting:

/ weeks, except in the case of rape, incest, severe fetal anomaly, or in reasonable medical judgment, she has a condition /

Amend further, page 7, by striking line 6 and inserting:

/ twenty or more weeks, whether the reason for the abortion was a medical emergency, rape, incest, or severe fetal anomaly, and if the reason was a medical emergency, the basis of the determination that the /

Renumber sections to conform.

Amend title to conform.

Senator BRIGHT spoke on the committee amendment.

Senator BRIGHT moved to lay the amendment on the table.

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

**Ayes 24; Nays 19**

**AYES**

Alexander	Bright	Bryant
Campsen	Corbin	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Malloy	<i>Martin, Shane</i>	Massey
McElveen	O'Dell	Rankin
Shealy	Thurmond	Turner
Verdin	Williams	Young

**Total--24**

**NAYS**

Allen	Bennett	Campbell
Cleary	Courson	Hutto
Johnson	Kimpson	Leatherman
Lourie	<i>Martin, Larry</i>	Matthews
Nicholson	Peeler	Pinckney
Reese	Scott	Setzler

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Sheheen

**Total--19**

The amendment was laid on the table.

**Statement by Senator LARRY MARTIN**

I briefly stepped out of the chamber when the roll call on the motion to table the committee report began. I thought the committee report was part of the compromise that had developed in order to move the bill forward and voted not to table. My view is that the rape and incest exceptions should be exercised early in a pregnancy, not as late as 20 weeks. Therefore, I should have voted to table the amendment.

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**Amendment No. 6**

Senator HUTTO proposed the following amendment (H-3114-3), which was adopted:

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

/ SECTION 1. Chapter 41, Title 44 of the 1976 Code is amended by adding:

“Article 5

South Carolina Pain-Capable Unborn Child Protection Act

Section 44-41-410. This article may be cited as the ‘South Carolina Pain-Capable Unborn Child Protection Act’.

Section 44-41-420. The General Assembly makes the following findings:

(1) Pain receptors (nociceptors) are present throughout the unborn child’s entire body and nerves link these receptors to the brain’s thalamus and subcortical plate by no later than twenty weeks.

(2) By eight weeks after fertilization, the unborn child reacts to touch. After twenty weeks, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example, by recoiling.

(3) In the unborn child, application of such painful stimuli is associated with significant increases in stress hormones known as the stress response.

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(4) Subjection to such painful stimuli is associated with long-term harmful neurodevelopmental effects, such as altered pain sensitivity and, possibly, emotional, behavioral, and learning disabilities later in life.

(5) For the purposes of surgery on unborn children, fetal anesthesia is routinely administered and is associated with a decrease in stress hormones compared to their levels when painful stimuli are applied without such anesthesia.

(6) The position, asserted by some medical experts, that the unborn child is incapable of experiencing pain until a point later in pregnancy than twenty weeks after fertilization predominately rests on the assumption that the ability to experience pain depends on the cerebral cortex and requires nerve connections between the thalamus and the cortex. However, recent medical research and analysis, especially since 2007, provides strong evidence for the conclusion that a functioning cortex is not necessary to experience pain.

(7) Substantial evidence indicates that children born missing the bulk of the cerebral cortex, those with hydranencephaly, nevertheless experience pain.

(8) In adults, stimulation or ablation of the cerebral cortex does not alter pain perception, while stimulation or ablation of the thalamus does.

(9) Substantial evidence indicates that structures used for pain processing in early development differ from those of adults, using different neural elements available at specific times during development, such as the subcortical plate, to fulfill the role of pain processing.

(10) The position, asserted by some medical experts, that the unborn child remains in a coma-like sleep state that precludes the unborn child experiencing pain is inconsistent with the documented reaction of unborn children to painful stimuli and with the experience of fetal surgeons who have found it necessary to sedate the unborn child with anesthesia to prevent the unborn child from thrashing about in reaction to invasive surgery.

(11) Consequently, there is substantial medical evidence that an unborn child is capable of experiencing pain by twenty weeks after fertilization.

(12) It is the purpose of the State to assert a compelling state interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain.

(13) South Carolina's compelling state interest in protecting the lives of unborn children from the stage at which substantial medical evidence

indicates that they are capable of feeling pain is intended to be separate from and independent of South Carolina's compelling state interest in protecting the lives of unborn children from the stage of viability, and neither state interest is intended to replace the other.

(14) Mindful of *Leavitt v. Jane L.*, 518 U.S. 137 (1996), in which in the context of determining the severability of a state statute regulating abortion, the United States Supreme Court noted that an explicit statement of legislative intent specifically made applicable to a particular statute is of greater weight than a general savings or severability clause, it is the intent of the State that if any one or more provisions, sections, subsections, sentences, clauses, phrases or words of this article or the application thereof to any person or circumstance is found to be unconstitutional, the same is hereby declared to be severable and the balance of this article shall remain effective notwithstanding such unconstitutionality. Moreover, the State declares that it would have passed this article, and each provision, section, subsection, sentence, clause, phrase or word thereof, irrespective of the fact that any one or more provisions, sections, subsections, sentences, clauses, phrases or words, or any of their applications, were to be declared unconstitutional.

Section 44-41-430. For the purposes of this article:

(1) 'Abortion' means the use or prescription of any instrument, medicine, drug, or any other substance or device excluding the use of a contraceptive, an intrauterine device (IUD) or the morning after pill:

(a) to intentionally kill the unborn child of a woman known to be pregnant; or

(b) to intentionally prematurely terminate the pregnancy of a woman known to be pregnant, with an intention other than to increase the probability of a live birth or of preserving the life or health of the child after live birth.

(2) 'Attempt to perform or induce an abortion' means an act, or an omission of a statutorily required act, that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in the performance or induction of an abortion in this State in violation of this article.

(3) 'Department' means the South Carolina Department of Health and Environmental Control.

(4) 'Fertilization' means the fusion of a human spermatozoon with a human ovum.

(5) 'Medical emergency' means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant

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woman that it necessitates the immediate abortion of her pregnancy without first determining post-fertilization age to avert her death or for which the delay necessary to determine post-fertilization age will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No condition must be considered a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

(6) 'Physician' means any person licensed to practice medicine and surgery or osteopathic medicine and surgery in this State.

(7) 'Post-fertilization age' means the age of the unborn child as calculated from the fusion of a human spermatozoon with a human ovum.

(8) 'Probable post-fertilization age of the unborn child' means what, in reasonable medical judgment, will with reasonable probability be the post-fertilization age of the unborn child at the time the abortion is planned to be performed or induced.

(9) 'Reasonable medical judgment' means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(10) 'Severe fetal anomaly' means that, in reasonable medical judgment, the unborn child has a profound and irremediable congenital or chromosomal anomaly that will most likely result in the natural death of the unborn child without life-sustaining medical treatment being administered upon the unborn child's birth.

(11) 'Unborn child' or 'fetus' each means an individual organism of the species homo sapiens from fertilization until live birth.

(11) 'Woman' means a female human being whether or not she has reached the age of majority.

Section 44-41-440. Except in the case of a medical emergency, rape, incest, or severe fetal anomaly no abortion must be performed or induced or be attempted to be performed or induced unless the physician performing or inducing it has first made a determination of the probable post-fertilization age of the unborn child or relied upon such a determination made by another physician. In making such a determination, the physician shall make such inquiries of the woman and perform or cause to be performed such medical examinations and tests as a reasonably prudent physician, knowledgeable about the case and the

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medical conditions involved, would consider necessary to perform in making an accurate diagnosis with respect to post-fertilization age.

Section 44-41-450. (A) No person shall perform or induce or attempt to perform or induce an abortion upon a woman when it has been determined, by the physician performing or inducing or attempting to perform or induce the abortion or by another physician upon whose determination that physician relies, that the probable post-fertilization age of the woman's unborn child is twenty or more weeks, except in the case of rape, incest, severe fetal anomaly, or in reasonable medical judgment, she has a condition which so complicates her medical condition as to necessitate the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No such greater risk must be considered to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

(B) When an abortion upon a woman whose unborn child has been determined to have a probable post-fertilization age of twenty or more weeks is not prohibited by subsection (A), the physician shall terminate the pregnancy in the manner which, in reasonable medical judgment, provides the best opportunity for the unborn child to survive, unless, in reasonable medical judgment, termination of the pregnancy in that manner would pose a greater risk either of the death of the pregnant woman or of the substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions, of the woman than would other available methods. No such greater risk must be considered to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

Section 44-41-460. (A) Any abortion performed in this State must be reported by the licensed facility on the standard form for reporting abortions to the state registrar, Department of Health and Environmental Control, within seven days after the abortion is performed. The names of the patient and physician may not be reported on the form or otherwise disclosed to the state registrar. The form must indicate from whom consent was obtained or circumstances waiving consent and must include:

- (1) Post-fertilization age:

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(a) if a determination of probable post-fertilization age was made, whether ultrasound was employed in making the determination, and the week of probable post-fertilization age determined; or

(b) if a determination of probable post-fertilization age was not made, the basis of the determination that a medical emergency existed.

(2) Method of abortion, of which the following was employed:

(a) medication abortion such as, but not limited to, mifepristone/misoprostol or methotrexate/misoprostol;

(b) manual vacuum aspiration;

(c) electrical vacuum aspiration;

(d) dilation and evacuation;

(e) combined induction abortion and dilation and evacuation;

(f) induction abortion with prostaglandins;

(g) induction abortion with intra-amniotic instillation such as, but not limited to, saline or urea;

(h) induction abortion; and

(i) intact dilation and extraction (partial-birth).

(3) Whether an intrafetal injection was used in an attempt to induce fetal demise such as, but not limited to, intrafetal potassium chloride or digoxin.

(4) Age of the patient.

(5) If the probable post-fertilization age was determined to be twenty or more weeks, whether the reason for the abortion was a medical emergency, rape, incest, or severe fetal anomaly, and if the reason was a medical emergency, the basis of the determination that the pregnant woman had a condition which so complicated her medical condition as to necessitate the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions.

(6) If the probable post-fertilization age was determined to be twenty or more weeks, whether or not the method of abortion used was one that, in reasonable medical judgment, provided the best opportunity for the unborn child to survive and, if such a method was not used, the basis of the determination that termination of the pregnancy in that manner would pose a greater risk either of the death of the pregnant woman or of the substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions, of the woman than would other available methods.

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(B) Reports required by subsection (A) shall not contain the name or the address of the patient whose pregnancy was terminated, nor shall the report contain any other information identifying the patient, except that each report shall contain a unique medical record identifying number, to enable matching the report to the patient's medical records. Such reports must be maintained in strict confidence by the department, must not be available for public inspection, and must not be made available except:

(1) to the Attorney General or solicitor with appropriate jurisdiction pursuant to a criminal investigation;

(2) to the Attorney General or solicitor pursuant to a civil investigation of the grounds for an action under Section 44-41-480(B); or

(3) pursuant to court order in an action under Section 44-41-480.

(C) By June thirtieth of each year, the department shall issue a public report providing statistics for the previous calendar year compiled from all of the reports covering that year submitted in accordance with this section for each of the items listed in subsection (A). Each such report also shall provide the statistics for all previous calendar years during which this section was in effect, adjusted to reflect any additional information from late or corrected reports. The department shall take care to ensure that none of the information included in the public reports could reasonably lead to the identification of any pregnant woman upon whom an abortion was performed, induced, or attempted.

(D) Any facility who fails to submit a report by the end of thirty days following the due date must be subject to a late fee of one thousand dollars for each additional thirty-day period or portion of a thirty-day period the report is overdue. Any physician required to report in accordance with this article who has not submitted a report, or has submitted only an incomplete report, more than six months following the due date, may, in an action brought by the department, be directed by a court of competent jurisdiction to submit a complete report within a period stated by court order or be subject to civil contempt. Intentional or reckless failure by any physician to conform to any requirement of this section, other than late filing of a report, constitutes 'unprofessional conduct' pursuant to Section 40-47-20(53). Intentional or reckless failure by any physician to submit a complete report in accordance with a court order constitutes 'unprofessional conduct' pursuant to Section 40-47-20(53). Intentional or reckless falsification of any report required under this section is a misdemeanor punishable by not more than one year in prison.

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(E) Within ninety days of the effective date of this article, the Department of Health and Environmental Control shall adopt and promulgate forms and regulations to assist in compliance with this section. Subsection (A) shall take effect so as to require reports regarding all abortions performed or induced on and after the first day of the first calendar month following the effective date of such rules.

Section 44-41-470. Any physician who intentionally or knowingly fails to conform to any requirement in Section 44-41-440 and Section 44-41-450 is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars nor more than ten thousand dollars or imprisoned for not more than three years, or both. No part of the minimum fine may be suspended. For conviction of a third or subsequent offense, the sentence must be imprisonment for not less than sixty days nor more than three years, no part of which may be suspended.

Section 44-41-480. This article must not be construed to repeal, by implication or otherwise, Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion. An abortion that complies with this article but violates the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law must be considered unlawful as provided in such provision. An abortion that complies with the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion but violates this article must be considered unlawful as provided in this article. If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order of injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect.”

SECTION 2. This act takes effect upon approval of the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Senator HUTTO explained the amendment.  
Senator GROOMS spoke on the amendment.

Senator BRIGHT moved to lay the amendment on the table.

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

**Ayes 6; Nays 37**

**AYES**

Bright	Bryant	Corbin
Fair	<i>Martin, Shane</i>	Verdin

**Total--6**

**NAYS**

Alexander	Allen	Bennett
Campbell	Campsen	Cleary
Courson	Cromer	Davis
Gregory	Grooms	Hayes
Hembree	Hutto	Johnson
Kimpson	Leatherman	Lourie
Malloy	<i>Martin, Larry</i>	Massey
Matthews	McElveen	Nicholson
O'Dell	Peeler	Pinckney
Rankin	Reese	Scott
Setzler	Shealy	Sheheen
Thurmond	Turner	Williams
Young		

**Total--37**

The amendment was not laid on the table.

Senator BRYANT spoke on the amendment.

Senator MALLOY spoke on the amendment.

Senator BRYANT moved to lay the amendment on the table.

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

**Ayes 6; Nays 38**

**AYES**

Bright	Bryant	Corbin
Fair	<i>Martin, Shane</i>	Verdin

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**Total--6**

**NAYS**

Alexander	Allen	Bennett
Campbell	Campsen	Cleary
Coleman	Courson	Cromer
Davis	Gregory	Grooms
Hayes	Hembree	Hutto
Johnson	Kimpson	Leatherman
Lourie	Malloy	<i>Martin, Larry</i>
Massey	Matthews	McElveen
Nicholson	O'Dell	Peeler
Pinckney	Rankin	Reese
Scott	Setzler	Shealy
Sheheen	Thurmond	Turner
Williams	Young	

**Total--38**

The amendment was not laid on the table.

**Motion Under Rule 15A Adopted**

At 2:45 P.M., Senator LARRY MARTIN moved under the provisions of Rule 15A that the debate on the entire matter of H. 3114 be brought to a close.

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

**Ayes 24; Nays 21**

**AYES**

Alexander	Bennett	Campbell
Campsen	Cleary	Courson
Cromer	Gregory	Grooms
Hayes	Hembree	Hutto
Kimpson	Leatherman	Lourie
<i>Martin, Larry</i>	Massey	Nicholson
O'Dell	Peeler	Shealy
Thurmond	Turner	Young

**Total--24**

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**NAYS**

Allen	Bright	Bryant
Coleman	Corbin	Davis
Fair	Jackson	Johnson
Malloy	<i>Martin, Shane</i>	Matthews
McElveen	Pinckney	Rankin
Reese	Scott	Setzler
Sheheen	Verdin	Williams

**Total--21**

Having received the necessary vote, the motion under Rule 15A was adopted.

Senator BRIGHT resumed speaking on Amendment No. 6.

The amendment was adopted.

**Amendment No. 1**

Senator BRIGHT proposed the following amendment (3114R002.LS.LB), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION ( ). Section 44-41-10(b) of the 1976 Code is amended to read:

“(b) ‘Physician’ means a person licensed to practice medicine in this State who is board certified in obstetrics and gynecology.” /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION ( ). Chapter 41, Title 44 of the 1976 Code is amended by adding:

“Section 44-41-25. Any abortion not performed in a certified hospital may only be performed by the pregnant woman’s attending physician who must have admitting privileges at a local certified hospital and staff privileges to replace on-staff physicians at the certified hospital.”/

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION ( ). If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any

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reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

**Amendment No. 2**

Senator BRIGHT proposed the following amendment (3114R003.LS.LB) which was not adopted:

Amend the bill, as and if amended, page 10, after line 21, by adding an appropriately numbered new SECTION to read:

/ SECTION ( ). If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the amendment.

The question then was the adoption of the amendment.

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The amendment was not adopted.

**Amendment No. 3**

Senator BRIGHT proposed the following amendment (3114R007.KM.LB), which was ruled out of order:

Amend the bill, as and if amended, page 4, by striking lines 35-36.

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION ( ). Chapter 41, Title 44 of the 1976 Code is amended by adding:

“Section 44-41-25. (A) A physician performing or inducing an abortion:

(1) must, on the date that the abortion is to be performed or induced, have active admitting privileges at a hospital that:

(a) is located not further than thirty miles from the location at which the abortion is performed or induced; and

(b) provides obstetrical or gynecological health care services; and

(2) shall provide to the woman upon whom the abortion will be performed or induced:

(a) a telephone number by which the woman may reach the physician, or other health care personnel employed by the physician or by the facility at which the abortion will have been performed or induced with access to the woman’s relevant medical records so that she may request assistance for any complications that arise from the performance or induction of the abortion or ask health-related questions related to the abortion; and

(b) the name and telephone number of the nearest hospital to the home of the woman at which an emergency arising from the abortion would be treated.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars nor more than ten thousand dollars.” /

Re-number sections to conform.

Amend title to conform.

**Point of Order**

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

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Senator BRIGHT spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

**Amendment No. 4**

Senator BRYANT proposed the following amendment (3114R001.EB.KLB), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION at the end to read:

/ SECTION ( ). Article 1, Chapter 41, Title 44 of the 1976 is amended by adding:

“Section 44-41-90. (A) A physician who knowingly performs a dismemberment abortion and thereby kills a human fetus is guilty of a felony and, upon conviction, must be fined not less than five thousand dollars or imprisoned for not less than five years, or both. This section shall not apply to a dismemberment abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, a physical illness, or a physical injury if no other medical procedure would suffice for that purpose.

(B) As used in this section:

(1) ‘Dismemberment abortion’ means, with the purpose of causing the death of an unborn child, knowingly dismembering a living unborn child and extracting such unborn child one piece at a time from the uterus through the use of clamps, grasping forceps, tongs, scissors, or similar instruments that, through the convergence of two rigid levers, slice, crush, or grasp a portion of the unborn child’s body in order to cut or rip it apart.

(2) ‘Physician’ means a physician, surgeon, or osteopath authorized to practice medicine in this State and licensed pursuant to Chapter 47 of Title 40. However, an individual who is not a physician, but who directly and knowingly performs a dismemberment abortion is also subject to the provisions of this section.

(C)(1) The father, if married to the mother at the time she receives a dismemberment abortion, the mother, if she has not attained the age of eighteen years at the time of the abortion, and the maternal grandparents of the fetus have a cause of action against the physician or other person unlawfully performing a dismemberment abortion and may obtain

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appropriate relief, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion.

(2) Such relief includes, but is not limited to:

- (a) actual damages which shall be trebled;
- (b) punitive damages for all injuries, psychological and physical, occasioned by the violation of this section; and
- (c) reasonable costs and attorney's fees.

(D) A woman upon whom a dismemberment abortion is performed may not be prosecuted for a violation of this section, for a conspiracy to violate this section, or for any other offense which is based on a violation of this section." /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT spoke on the amendment.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

**Amendment No. 5**

Senator BRYANT proposed the following amendment (3114R006.EB.KLB), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION at the end to read:

/ SECTION ( ). Article 1, Chapter 41, Title 44 of the 1976 is amended by adding:

"Section 44-41-100. (A) A physician who knowingly performs a fetal intra-cardiac injection and thereby kills a human fetus is guilty of a felony and, upon conviction, must be fined not less than five thousand dollars or imprisoned for not less than five years, or both. This section shall not apply to a fetal intra-cardiac injection abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, a physical illness, or a physical injury if no other medical procedure would suffice for that purpose.

(B) As used in this section:

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(1) 'Fetal intra-cardiac injection' means, with the purpose of causing the death of an unborn child, knowingly inserting a needle into an unborn child's heart to inject chemicals or air necessary to stop the unborn child's heart.

(2) 'Physician' means a physician, surgeon, or osteopath authorized to practice medicine in this State and licensed pursuant to Chapter 47 of Title 40. However, an individual who is not a physician, but who directly and knowingly performs a fetal intra-cardiac injection abortion is also subject to the provisions of this section.

(C) A woman upon whom a fetal intra-cardiac injection abortion is performed may not be prosecuted for a violation of this section, for a conspiracy to violate this section, or for any other offense which is based on a violation of this section." /

Re-number sections to conform.

Amend title to conform.

**Point of Order**

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

Senator BRYANT spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

The question then was second reading of the Bill.

Senator KIMPSON spoke against the Bill.

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

**Ayes 37; Nays 7**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Corbin
Courson	Cromer	Davis
Fair	Gregory	Grooms
Hayes	Hembree	Jackson

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Leatherman	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	Matthews
McElveen	O'Dell	Peeler
Rankin	Scott	Setzler
Shealy	Sheheen	Thurmond
Turner	Verdin	Williams
Young		

**Total--37**

**NAYS**

Coleman	Hutto	Johnson
Kimpson	Lourie	Nicholson
Pinckney		

**Total--7**

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**THE SENATE PROCEEDED TO THE ADJOURNED DEBATE.**

**DEBATE INTERRUPTED**

H. 3702 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2014-2015, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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

Debate was interrupted by adjournment.

**Motion Adopted**

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned.

**TUESDAY, MAY 19, 2015**

**REPORT RECEIVED**

**JOINT LEGISLATIVE COMMITTEE  
TO SCREEN CANDIDATES  
FOR COLLEGE AND UNIVERSITIES BOARD OF TRUSTEES**

Monday, April 20, 2015  
12:30 p.m.  
1101 Pendleton Street  
Gressette Building, Room 209  
Columbia, South Carolina

Committee Members In Attendance:

CHAIRMAN SENATOR HARVEY S. PEELER, JR.  
SENATOR THOMAS C. ALEXANDER  
SENATOR ROBERT W. HAYES, JR.  
SENATOR JOHN L. SCOTT, JR.  
REPRESENTATIVE WILLIAM R. WHITMIRE  
REPRESENTATIVE PHYLLIS J. HENDERSON

Also present:

Martha Casto  
Julie Price

CHAIRMAN SENATOR PEELER: If there's no objection, we'll go ahead and get started. I would like to call the meeting to order.

This is the meeting of the Joint Legislative Committee to Screen Candidates for College and University Boards of Trustees. I'd like to welcome everyone and welcome the members. We have a couple more that are coming in, but if there's no objection, we'll go ahead and get started.

We have Senator Scott, Senator Hayes, Representative Alexander, and Representative Whitmire here, and I'm Harvey Peeler.

And first, we'd like to call up Robert F. Sabalis from Orangeburg. He seeks a Congressional Seat for the Lander University Board.

If you would, raise your right hand, please, sir.

**CANDIDATES FOR LANDER UNIVERSITY  
6th Congressional Seat 6 - Expires 2016  
ROBERT F. SABALIS**

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DR. SABALIS: (Complying.)

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

DR. SABALIS: I do.

CHAIRMAN SENATOR PEELER: If you would, take a seat. Make sure your light is burning green.

DR. SABALIS: It is.

CHAIRMAN SENATOR PEELER: Thank you.

MS. CASTO: Members of the Committee, inside your notebook is a skinny on each candidate.

CHAIRMAN SENATOR PEELER: For the record, if you would, state your full name in case I've mispronounced it.

DR. SABALIS: My name is Robert Sabalis.

CHAIRMAN SENATOR PEELER: Good.

I came pretty close. Thank you.

Would you like to give a brief explanation to the Committee on why you'd like to serve on the Lander Board?

DR. SABALIS: Yes. Thank you.

I'm a clinical psychologist by training. I worked for the University of South Carolina School of Medicine for 29 years until I moved to Washington in 2000 to work for the Association of American Medical Colleges.

I returned to Orangeburg in 2012, so we've been back for about three years. And I worked halftime from home as a medical school accreditor.

During my time in medical education, or in education as a whole, two things have always impressed me; one of which is the quality of a liberal arts education as preparation for a variety of fields in industry employment.

And the second is the fact that South Carolina universities, and maybe in particular Lander University, makes it its mission to seek out students in this region who might not otherwise consider an education and then provides a superb education and the quality of educational support necessary to be successful in that education.

When a board vacancy became available in Orangeburg last year when the current board member died unexpectedly of cancer, some members of the board contacted me about my potential interest in serving in this position. I had no prior contact with Lander University, though I had been on the campus before. So I investigated. I went and met with the president, with the legislative liaison, went to the library for a couple of

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hours and spent time going through history books and meeting minutes and publications of the university, and I was very impressed.

So because Lander provides a liberal arts education, and that's always been one of my passions, and because they're committed to finding those students in South Carolina who might not otherwise seek a college education and provide them with a superb education, I'm interested in doing whatever I can to support their mission and their implementation of that mission.

CHAIRMAN SENATOR PEELER: Thank you.

It always impresses me when someone does their homework, and it sounds like you have.

DR. SABALIS: I have. Thank you. I've tried to anyway.

CHAIRMAN SENATOR PEELER: Thank you.

Questions or comments from members of the Committee?

MR. Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman.

Welcome, Dr. Sabalis.

DR. SABALIS: Thank you.

REPRESENTATIVE WHITMIRE: Very impressive resume, by the way.

Question three, "In what areas do you think the college or university can improve?"

I really like this answer. I wish we'd get this more, but do you know what -- have you done any research on what percentage of students return for a second year or do not at Lander?

DR. SABALIS: It's about 40 percent who do not return and about 60 percent who graduate in four years.

REPRESENTATIVE WHITMIRE: And is that the norm for the state or --

DR. SABALIS: I think that's pretty high, but I think that those students who leave probably leave for a bigger institution rather than just quit college. So if the institution is going to continue to grow, I think it would be good for them, good for the school, to work on increasing the retention rates of those first-year students into second year into graduation.

REPRESENTATIVE WHITMIRE: I totally agree.

And my other question is question five, the percentage of in-state versus out-of-state students.

I agree with you, the 80/20. What is it at Lander now?

DR. SABALIS: It's about that. It's about 80/20.

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And in their mission statement, they talk about the fact that it's a good thing to have students from other places to expand the mix of students and the kinds of conversations that take place in the classrooms and the laboratories and the dormitories. But you don't want to have so many out-of-state students that the in-state students who need the opportunity won't have it available to them.

And I think they did the same thing I did when I was the admissions officer at the School of Medicine here in Columbia. If you're going to accept some of your class from out-of-state, you look first for those students who have ties to the state, who have relatives here, who have been to school here, and who want to stay in South Carolina.

REPRESENTATIVE WHITMIRE: I totally agree. And we have some other institutions that would look at it that way.

I'm sure you'll do a fine job.

(Representative Henderson enters the room.)

DR. SABALIS: Thank you very much.

CHAIRMAN SENATOR PEELER: Thank you.

Now Representative Henderson has arrived.

Welcome.

REPRESENTATIVE HENDERSON: Thank you.

CHAIRMAN SENATOR PEELER: Thank you.

REPRESENTATIVE HENDERSON: Sorry I'm late.

CHAIRMAN SENATOR PEELER: Senator Scott.

SENATOR SCOTT: Thank you.

Let me also welcome you.

I want to go back and visit and just a little information on a bordering state, Georgia, for example, who has made some changes to its legislature to those students who are border-state students, as they call it. They have now made some changes in the legislature to let their students -- South Carolina students come at the same tuition cost.

What's your take on that, and how will it also affect Lander being that close to, of course, bordering Georgia?

DR. SABALIS: I admire Lander's commitment to the students in the seven counties in South Carolina that surround Greenwood. I've always questioned when a state school would create a border agreement like that, and I think --

SENATOR SCOTT: Well, their legislation just changed it. It became state law right here in very specific schools and now will allow them to take in --

DR. SABALIS: Right.

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SENATOR SCOTT: -- South Carolina students at the same --

DR. SABALIS: At the same rate.

SENATOR SCOTT: Yes.

So that's going to affect our out-of-state students.

DR. SABALIS: Absolutely. Absolutely. Absolutely.

I'm not sure that I see that as a plus. I think it's a plus for the students, but not a plus for this state. It's a plus for Georgia, but perhaps not a plus for South Carolina, and I think there's a potential loss there of very good students who will go to Georgia and perhaps not come back.

SENATOR SCOTT: Also, Lander just instituted an emergency management master's degree program that you can take online. I think in about 30 hours, you can get your master's degree. I don't know how familiar you are with it. So you're attracting police officers and other public safety individuals who want master's degrees in that particular area.

What's your take on that?

DR. SABALIS: I think there are three master's degree programs that you can complete online now. Online education is obviously one of the things of the future, and you need to get ahead of the curve. And I think for someone as busy as law enforcement officers, that's a good opportunity.

I am always concerned, though, that some of that online program ought to take place on campus so that there's a personal relationship with students and they know who to contact as problems arise.

SENATOR SCOTT: I think that one does require some visitations over a period of time.

DR. SABALIS: I'm not familiar with the specifics of that program yet.

SENATOR SCOTT: Thank you so much.

CHAIRMAN SENATOR PEELER: Any other questions or comments?

Hearing none, what's the desire of the Committee?

MR. HAYES: Favorable.

SENATOR SCOTT: Second.

CHAIRMAN SENATOR PEELER: A Second is heard.

All in favor say aye.

ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed no; and the ayes have it.

Thank you, sir.

DR. SABALIS: Thank you very much.

CHAIRMAN SENATOR PEELER: We appreciate your willingness to serve, and we're thankful to whoever convinced you to do this.

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DR. SABALIS: Thank you very much.

**CANDIDATES FOR WINTHROP UNIVERSITY  
At-Large Seat 10 - Expires 2021  
GLENN A. McCALL**

CHAIRMAN SENATOR PEELER: Thank you.

Now Winthrop University. Glen A. McCall from Rock Hill, At-Large Seat 10.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. McCALL: I do, sir.

CHAIRMAN SENATOR PEELER: On the record, would you give us your full name.

MR. McCALL: Glenn Allen McCall.

CHAIRMAN SENATOR PEELER: Thank you.

Would you like to give us a brief statement on why you'd like to continue to serve on the Winthrop Board?

MR. McCALL: Yes, sir.

First, thank you all for this opportunity to come before you. I have served on the Winthrop Board I think now for four years, three years as the superintendent of education designee, and we had this at-large seat come available. The governor's office asked if I could move into that role plus several of my colleagues on the board because we had a bylaw where if you were a designee, then you could not serve as an officer on the executive committee.

So I was before this committee, I guess, a year ago or a little less than a year ago. So I would like to continue serving on the Winthrop Board because I think there are some great opportunities, but also, we have challenges that we have to deal with in higher ed. Winthrop is an excellent campus. We have great employees and professors, but we, like all institutions, have questions as it relates to college-aged students decreasing.

As you talked about earlier, online education is increasing. And we're right at the border, as you know, with Charlotte, and the North Carolina Legislature also has a bill that will be coming up, I guess, before their session end where out-of-state students bordering states can come into their state as an in-state tuition.

So I feel we have to prepare ourselves for that. We have to be nimble. And as you know -- and there has been much talk about enrollment

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growth being stagnant or flat over the last ten years, so we have to work hard to put plans in place to help the university as a board to work through those issues. And we're going to have to make the difficult decisions because our cash flow -- we're definitely meeting obligations, and I don't mean to say we're not, but we also have to reward our employees and professors there at the university, and we have to grow enrollment.

So I think my skill set and that I serve right now here at the finance committee will help. We are making some tough decisions in trying to control our non-personnel costs and doing a great job with that. So I think it's a challenging time for higher ed, but I think that those that accept the challenges are going to win in the end.

And so that's why I would like to serve, sir.

CHAIRMAN SENATOR PEELER: Thank you, and I sure appreciate your willingness to serve.

Like Senator Scott mentioned earlier about Georgia, and then you indicated that North Carolina is doing the same thing --

MR. McCALL: That's correct.

CHAIRMAN SENATOR PEELER: -- what -- look into your crystal ball. Why do you think they're doing that? Is their student head count diminishing, or what's the reason for that?

MR. McCALL: Yes.

Personally, I think they're being proactive because we all know that college-aged kids that will move into college over the next six to ten years is declining. So they're preparing for that by bringing in neighboring state kids into their system to continue the revenue stream that we all so desperately need. They're a little better than us, but due to state appropriations, they're struggling with the same challenges, enrollment growth challenges.

CHAIRMAN SENATOR PEELER: It seems from the political standpoint, they are state supported with in-state dollars, taxpayer dollars, that live within the state. I just was curious, you know, and wonder what kind of pushback they got from their local taxpaying citizens. I know you can't answer that, but --

MR. McCALL: No.

CHAIRMAN SENATOR PEELER: -- I mean, I'm just curious.

MR. McCALL: But I do think that -- I would hope that as this is debated here in Columbia that maybe we can equally offer that to our bordering universities, the out-of-state students, to help with the offset of some of the enrollment decline.

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CHAIRMAN SENATOR PEELER: If you could monitor that and see of its effectiveness in any way, I'd be curious to know.

MR. McCALL: Sure.

CHAIRMAN SENATOR PEELER: Senator Scott.

SENATOR SCOTT: Mr. Chairman.

2011, 2013, the Parent PLUS program, which is a program designed after these students have exhausted all these federal funds, the parents -- and that's the monies out-of-state students were getting, the extra money to be able to be out of state. They cut that program on the HBC side. Forty-five percent of the students who were getting that money that were going to HBCUs got cut, so that means the other 55 percent, of course, would be those students coming out of regular schools.

And then that result, it has put all these schools in a situation for recruiting, enrollment, and retention. If you don't have the extra money, well, you can't pay the tuition. So if I've got a student where I can fill a slot who is in a bordering state, it's far better for me to bring that student in than to have a vacant spot at that school.

And so schools across this country -- and I'll be speaking on that a little bit later on in the month of June in Atlanta -- these students will have to go to wherever the parents can afford to get them in, which means a lot of these students will be driving to school and driving back home so they don't have to pay for meal plans and pay for housing. So we are in a major fight between students, colleges, and funding as we move forward.

So in looking -- and I'll have a bill hopefully ready on one day this week that we'll begin to take a look at what that's going to do. I don't suggest that these bordering schools, but even schools that are sitting in the middle of the state of the smaller schools, will be losing students because those are the students that we're having selected to come out and come to our schools.

CHAIRMAN SENATOR PEELER: Thank you.

SENATOR Hayes, did you have --

SENATOR HAYES: No.

CHAIRMAN SENATOR PEELER: Senator Alexander, did you want to comment?

SENATOR ALEXANDER: No. I'm good, sir.

CHAIRMAN SENATOR PEELER: Mister --

REPRESENTATIVE WHITMIRE: Mr. McCall --

MR. McCALL: Yes.

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REPRESENTATIVE WHITMIRE: -- you may have gone over this last year, but with my memory, I can't remember. Could you go over the judgments in the civil cases that you were a party to and I think your wife, please?

MR. McCALL: Yes, yes.

One is a foreclosure where we -- a property that was foreclosed on. There were no actual judgments that we had to pay because the value of the property was more than what it sold for.

The second one is an unsecured judgment that was being worked out. The lender didn't want to make a payment agreement because it was cheaper for them to actually write off the loans, sell it to a third party, and that's how that happened.

REPRESENTATIVE WHITMIRE: That's all I have.

CHAIRMAN SENATOR PEELER: Senator Hayes.

SENATOR HAYES: I just want to -- not so much a question. I just want to thank Mr. McCall for his service on the Winthrop Board and so many other things that he does. He is a true public servant, and I think he's made a big difference in his time on the Winthrop Board already. He has really worked to get their finances in order.

And we have had a transition period from our president to Georgia over here and a president who didn't stay very long after that, and now I think we've got a good president coming on board, and he's been very much involved in helping us get through the leadership issues at Winthrop. So I speak very highly of him, and I think -- I'm just glad to see he's willing to serve another term.

CHAIRMAN SENATOR PEELER: Any other questions or comments?

SENATOR Hayes moves for a favorable report, and a second from Senator Scott.

All in favor say aye.

ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed no; and the ayes have it.

MR. McCALL: Thank you.

CHAIRMAN SENATOR PEELER: Thank you again for your service.

MR. McCALL: Thank you.

**CANDIDATES FOR OLD EXCHANGE BUILDING  
COMMISSION  
At-Large Seat - Expires 2021  
GREG OHANESIAN**

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CHAIRMAN SENATOR PEELER: The next, Old Exchange Building Commission. Greg --

MR. OHANESIAN: Ohanesian.

CHAIRMAN SENATOR PEELER: -- Ohanesian.

MR. OHANESIAN: Ohanesian.

CHAIRMAN SENATOR PEELER: Ohanesian?

MR. OHANESIAN: Yes, sir.

CHAIRMAN SENATOR PEELER: Okay. Thank you.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. OHANESIAN: I do.

CHAIRMAN SENATOR PEELER: Tell us again. How do you pronounce your name?

MR. OHANESIAN: Ohanesian.

CHAIRMAN SENATOR PEELER: Ohanesian.

MR. OHANESIAN: (Nodding head.)

CHAIRMAN SENATOR PEELER: Thank you, sir.

This is for the Old Exchange Building Commission At-Large Seat. You are an incumbent.

MR. OHANESIAN: Yes, sir.

CHAIRMAN SENATOR PEELER: Would you like to explain to the Committee why you'd like to consider to serve on this commission?

MR. OHANESIAN: Thank you.

I have a natural interest in history and then American and South Carolina history in particular. I'm an attorney, by the way, 34 years. A member of the Sons of the American Revolution, and I have a strong interest in American Revolutionary Board history.

There are three buildings in the United States at -- three public buildings -- excuse me -- at which the Declaration of Independence was read: Faneuil Hall in Boston, Independence Hall in Philadelphia, and the Old Exchange Building in Charleston. This is a very significant building, a jewel, in my opinion, that we have in South Carolina.

The Commission's mission, basically, is to preserve that building to make it as available as possible to the public. We have approximately -- or last year had approximately 60,000 visitors to the Old Exchange Building. We worked together with the Old Slave Mart and with the College of Charleston in terms of trying to improve the tourist flow to the Exchange Building.

I guess I've lost my thought. If you all have a question, it might help me move forward.

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CHAIRMAN SENATOR PEELER: That's all right. You've said enough, if you're through.

MR. OHANESIAN: Yes.

CHAIRMAN SENATOR PEELER: Brevity is a plus with this committee.

Thank you.

How long have you served on the commission?

MR. OHANESIAN: Five years, and I was elected vice chair two years ago.

CHAIRMAN SENATOR PEELER: Were you practicing law back when Senator Lindsey was serving in the Senate?

MR. OHANESIAN: Yes, sir, I did.

CHAIRMAN SENATOR PEELER: Do you have any Lindsey stories? I know you can't tell them today.

MR. OHANESIAN: If I might, in 1982 I ventured in a campaign against Senator Lindsey; obviously, not successful.

CHAIRMAN SENATOR PEELER: Good.

MR. OHANESIAN: So yes, I have a number of Lindsey stories.

CHAIRMAN SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. Chairman.

And I appreciate your service, and I see where it says that you visit the Old Exchange Building regularly, at least four times a year. Is that the -- are the meetings held on a quarterly basis?

MR. OHANESIAN: They are held on a quarterly basis.

SENATOR ALEXANDER: And has your attendance been -- how would you characterize that during your service of those five years?

MR. OHANESIAN: I've missed only one meeting in the five years.

SENATOR ALEXANDER: And you would have no issues going forward with the ability to continue to serve in that capacity?

MR. OHANESIAN: Oh, no, not a bit. No, sir.

SENATOR ALEXANDER: Okay. Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Thank you.

Any other questions?

Mr. Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman.

How much does it cost fundingwise to maintain the building every year?

MR. OHANESIAN: We generally run about a \$600,000 budget. When you talk about old buildings -- and particularly those a couple of hundred years or more run into cycles where there is a higher degree of

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maintenance at one point than at another, but our typical years are \$600,000, which is a bit less than our revenues. We tend to make just a bit more than that.

We do have reserve accounts to handle those high-maintenance operations. We're getting ready, for example, to repaint and rewash the front end of the building, and we think we have enough funds in hand to do that without having to come to the state legislature to request more monies.

REPRESENTATIVE WHITMIRE: You're probably the only ones.

MR. OHANESIAN: We do our best to conserve both the building and monies that we have.

REPRESENTATIVE WHITMIRE: Let me ask you one other question.

You talked about trying to get more business there.

MR. OHANESIAN: Yes.

REPRESENTATIVE WHITMIRE: Have you got a plan in place, or are you formulating a plan to -- because 60,000 -- it seems to me like we can get at least 100,000 people there.

MR. OHANESIAN: Yes, and I quite agree.

One of the things we need to focus on as a commission is drawing the school children of our state to the building. This is a -- again, I love the building, and it is a great jewel, a great asset that we have in South Carolina. We, in my opinion, don't have enough of our grade-school children coming to this building to see it.

I'm up in Marlboro County. I've sponsored a couple of school trips, fifth graders, because that was the history class, American History class, and they take them at fifth grade to Charleston and to the Old Exchange Building. We need to do more to encourage the children, the schoolchildren of our state, and to work with the principals and teachers to encourage these trips to --

REPRESENTATIVE WHITMIRE: Is it free for the schools? Is there a --

MR. OHANESIAN: No, it isn't. That's how we fund a lot of our preservation efforts in the building. There's a slight charge. I think it's five bucks per child, which isn't a whole lot.

One of the other great assets of the building is the Great Hall, which is on the second floor. This is where Washington was entertained when he came until 1791. We do wedding receptions, corporate events in that hall and, of course, charge as much as we think we can get, 2,500, usually, an evening. But there's still a lot of evenings where this hall is

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not used, and we need to work in that direction to encourage even more corporate use of that Great Hall.

REPRESENTATIVE WHITMIRE: Okay. Thank you.

MR. SCOTT: Mr. Chairman.

CHAIRMAN SENATOR PEELER: Senator Scott.

SENATOR SCOTT: Thank you, sir.

In attracting those young children to come to that -- let's call it campus, just for the sake of discussion --

MR. OHANESIAN: Okay.

SENATOR SCOTT: -- what amenities would it have to accommodate? Most of these children, when they come, they have to have a place for them to gather in large groups, as well as accommodations for food, water, and restroom facilities. Is the Exchange designed with a pattern such as that where you have to make some other kinds of changes? 11:00, 11:30, school children, of course they want time to leave the Exchange, especially if they made a trip there from someplace else, to get a little lunch.

And then the tours, are there tour guides there as well to kind of get them through? Have those kind of issues been kind of sorted out to try to figure out how we get them there and how we maintain their attention so the next class, or that same history class, may want to come back the next year?

MR. OHANESIAN: Excellent question.

SENATOR SCOTT: Elaborate a little bit on that.

MR. OHANESIAN: Yeah.

When I was making arrangements to bring these students from Marlboro County -- I have a house in Charleston as well, and so we served lunch at that house after they went to the Old Exchange Building. There are, of course, other restaurants down in the Charleston area, but you've hit on something essential; and that is, trying to handle lunch for large groups of students.

One of the other things that has been considered is trying to encourage the students to bring bagged lunches and have their school cafeterias prepare these lunches and hand it to them on the bus in the morning so that they have lunch in hand as they're traveling to the facility.

Yes, we have tour guides, and they are dressed in period costume.

SENATOR SCOTT: Right.

MR. OHANESIAN: They are very knowledgeable about American Revolutionary War history and particularly the history of the building. And we have developed in recent years the Dungeon of the Old

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Exchange, and it is a great attraction for little children. It's dark. It's beautiful architecture underneath the brickwork and that sort of thing, scaled individuals in charge and things like that, as the patriots would have been --

SENATOR SCOTT: Right.

GREG OHANESIAN: -- when the British occupied the city.

SENATOR SCOTT: Is there any film presentation for them to gather? Because you're going to try to keep kids' attention the whole time. You may want to look at some catering company too as you try to make sure -- \$5 or 7 or 10, especially if you're going to bring children there, so they've got a little food and they've got a little film presentation and then kind of walk them through it.

Just some suggestions. Thank you so much.

MR. OHANESIAN: Thank you, sir.

CHAIRMAN SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you.

And just for the record, I just want to clarify. Do you currently serve on the Voter Registration Election Commission?

MR. OHANESIAN: I do not.

SENATOR ALEXANDER: Thank you, sir.

CHAIRMAN SENATOR PEELER: Your relationship of the Exchange is a relationship with the Parks, Recreation and Tourism, and the tourism folks in Charleston is a relationship. Do y'all work in concert or --

MR. OHANESIAN: Oh, very well, and we are coordinating efforts as we know that there are large groups coming into the city. Each of these historical buildings, including the Confederate Building on Market Street, we coordinate when we know they're bringing in a group. They let us know when --

CHAIRMAN SENATOR PEELER: You're part of the map.

MR. OHANESIAN: That's right.

CHAIRMAN SENATOR PEELER: Okay.

GREG OHANESIAN: That's right.

CHAIRMAN SENATOR PEELER: Good.

Any other questions?

SENATOR SCOTT: Favorable.

CHAIRMAN SENATOR PEELER: This motion is a favorable report.

A second?

SENATOR HAYES: Second.

CHAIRMAN SENATOR PEELER: I just heard it.

All in favor say aye.

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ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed no; and the ayes have it.

Thank you for your willingness to serve.

GREG OHANESIAN: Ladies and gentlemen, thank you very much.

**CANDIDATES FOR WIL LOU GRAY OPPORTUNITY  
SCHOOL**

**At-Large Seat - Expires 2019**

**EARLE M. BENNETT**

CHAIRMAN SENATOR PEELER: Thank you.

Next, Wil Lou Gray Opportunity School, Ms. Earle M. Bennett from West Columbia, At-Large Seat --

REPRESENTATIVE HENDERSON: Mr. Chairman, may I ask a question?

CHAIRMAN SENATOR PEELER: Ms. Henderson.

REPRESENTATIVE HENDERSON: Are there three at-large seats, or are all three of these folks that we're interviewing today running for the same at-large seat?

MS. CASTO: There are three at-large seats.

REPRESENTATIVE HENDERSON: Okay.

MS. CASTO: All of these, yes.

REPRESENTATIVE HENDERSON: All right.

MS. CASTO: So three people are running for three seats.

REPRESENTATIVE HENDERSON: Okay. Thank you.

CHAIRMAN SENATOR PEELER: Ms. Bennett, raise your right hand.

DR. BENNETT: (Complying.)

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

DR. BENNETT: I do.

CHAIRMAN SENATOR PEELER: Thank you.

For the record, if you would state your full name and then if you'd like to make a brief statement on why you'd like to serve.

DR. BENNETT: My full name is Katherine Earle McConnell Bennett.

And a brief statement?

CHAIRMAN SENATOR PEELER: Yes, ma'am.

I know it's uncomfortable to have these microphones in your face.

DR. BENNETT: My chair is a little bit low, I guess.

Well, my statement would be why I have opted to run again.

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I have been on the board for eight years. A little more than that, actually, because I've filled an unexpired seat. So it's been a little over eight years.

Will Lou Gray has a special place in my heart because of the students that we get. I taught in career and technology education for many years. I learned about everyone having the opportunity to get an education, and many times, we have to make sure that we are providing alternative methods.

When we get letters back from grandparents or from parents or brothers or sisters, they have seen relatives go through Wil Lou Gray at the outcome versus what it was like before they got there. It makes me want to be a part of that, if just a small part.

We have a great staff. I'm always bragging on them. And we have great support from legislators.

And I'm just very thankful to have the opportunity -- now that I am retired to have the opportunity to serve, and I appreciate, Senator Peeler, you and the other Committee members for allowing me to come before your group this morning.

CHAIRMAN SENATOR PEELER: Thank you.

Any questions or comments from members of the Committee?

MR. WHITMIRE: I have one.

CHAIRMAN SENATOR PEELER: Mr. Bennett. Mr. Whitmire, not Mr. Bennett.

REPRESENTATIVE WHITMIRE: How many students are at Wil Lou Gray?

DR. BENNETT: Well, we're on a trimester system, and we average about 375, 370, 476. But over an average, it's about 375.

REPRESENTATIVE WHITMIRE: What age groups do you have?

DR. BENNETT: Eighteen up.

MR. SMITH: Sixteen.

REPRESENTATIVE WHITMIRE: Is there --

DR. BENNETT: Sixteen. I'm sorry.

REPRESENTATIVE WHITMIRE: Sixteen.

Is there a cutoff, top end?

DR. BENNETT: I'm sorry. I will have to defer to the other two.

REPRESENTATIVE WHITMIRE: I can ask somebody else later.

MR. SMITH: Nineteen.

DR. BENNETT: Nineteen.

REPRESENTATIVE WHITMIRE: Sixteen to nineteen?

MR. SMITH: Yes.

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DR. BENNETT: I know these things. I'm a little nervous.

REPRESENTATIVE WHITMIRE: Well --

DR. BENNETT: This morning -- he just hadn't seen me like this in a long time.

REPRESENTATIVE WHITMIRE: You don't have anything to fear from this group.

DR. BENNETT: Oh.

REPRESENTATIVE WHITMIRE: They are totally supportive.

DR. BENNETT: I've had a lot of things going on in my life lately.

REPRESENTATIVE WHITMIRE: And we just thank you so much for your willingness to serve. Wil Lou Gray is a real asset to our state. We're very fortunate to have you.

DR. BENNETT: Well, I feel like it's one of our best-kept secrets, if you want to put it that way. Like I said, I have worked with kids that have almost lost their way, and that's where Wil Lou Gray comes in. If we can get these teenagers on track before they get into real problems and get them going in the right direction, then we've served a good purpose.

CHAIRMAN SENATOR PEELER: Thank you, Ms. Bennett.

Any other questions or comments?

REPRESENTATIVE HENDERSON: Favorable report.

CHAIRMAN SENATOR PEELER: Motion is a favorable report.

A second is heard.

All in favor say aye.

ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed, no; and the ayes have it.

Thank you, Ms. Bennett.

DR. BENNETT: Thank you.

CHAIRMAN SENATOR PEELER: It wasn't that bad, was it?

DR. BENNETT: Pardon?

CHAIRMAN SENATOR PEELER: It wasn't that bad, was it?

DR. BENNETT: No, sir.

**DEBORAH S. BLALOCK**

CHAIRMAN SENATOR PEELER: Next, we have Deborah S. Blalock from Charleston, At-Large Seat, Wil Lou Gray.

Let me swear you in, Ms. Blalock.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MS. BLALOCK: I do.

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CHAIRMAN SENATOR PEELER: Do you have a brief statement on why you'd like to continue to serve?

For the record, if you would give you us your full name.

MS. BLALOCK: Sure.

Deborah Shogry Blalock.

Honestly, my reason is a little bit selfish. I have a friend that's a coworker who has been on the board of Wil Lou Gray, and he's just told me so much about this school and bragged about the school, and it sounds like something I'd love to be a part of. It sounds like -- Dr. Bennett said a well-kept secret in our state, and I'd like to share. I'd like to make it not be a secret and share the information with my community in Charleston.

Questions or comments for Ms. Blalock?

And you heard about this from a friend on --

MS. BLALOCK: I did.

CHAIRMAN SENATOR PEELER: -- this vacancy?

MS. BLALOCK: Yes, sir. Yes, sir.

SENATOR ALEXANDER: Mr. Chairman, I have --

CHAIRMAN SENATOR PEELER: Well, you have five children, so you should know what you're getting into.

MS. BLALOCK: I have five, 30 to 18. Yes, they're killing me.

CHAIRMAN SENATOR PEELER: God bless you.

SENATOR Scott, did you have a question?

SENATOR SCOTT: No.

CHAIRMAN SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. Chairman.

With your schedule and everything, would there be -- would you envision any problem with you having to be able to attend meetings when necessary?

MS. BLALOCK: I don't think so. As you know, I have a great benefits package with the State of South Carolina, so I have a lot of leave built up after 21 years.

And so I don't think that will be a problem at all.

SENATOR ALEXANDER: Okay. Thank you.

CHAIRMAN SENATOR PEELER: Any other questions?

Mr. Whitmire.

REPRESENTATIVE WHITMIRE: I see you're from Massachusetts.

What part?

MS. BLALOCK: I was born in the Berkshires in Lenox, Mass.

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REPRESENTATIVE WHITMIRE: Oh, I just toured up there with my wife last year. That's beautiful.

MS. BLALOCK: Beautiful. It is beautiful.

I love where I live now, and I --

REPRESENTATIVE WHITMIRE: How did you end up in South Carolina?

MS. BLALOCK: My parents moved to Charleston when I was two.

REPRESENTATIVE WHITMIRE: Oh, okay.

MS. BLALOCK: I've been here 53 years. I've been here a long time.

REPRESENTATIVE WHITMIRE: Thank you for your willingness to serve.

CHAIRMAN SENATOR PEELER: I probably should have asked an incumbent, but I was curious to know the difference between John de la Howe and Wil Lou Gray and if there's some overlap of admissions and if there's been any discussions of maybe even merging the two. Have you --

MS. BLALOCK: I'm completely ignorant about that.

CHAIRMAN SENATOR PEELER: That's a good answer.

Motion is a favorable report.

And is there a second?

A Second.

All in favor say aye.

ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed, no; and the ayes have it.

Thank you for willingness to serve.

Next, Robert N. Collar from Bluffton, At-Large Seat.

**ROBERT N. COLLAR**

MR. COLLAR: Good morning.

CHAIRMAN SENATOR PEELER: Raise your right hand.

MR. COLLAR: (Complying.)

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. COLLAR: I do.

CHAIRMAN SENATOR PEELER: For the record, if you'd give us your full name.

MR. COLLAR: Robert Nicholas Collar.

CHAIRMAN SENATOR PEELER: Do you have a brief statement on why you'd like to serve on the Wil Lou Gray Opportunity School Board?

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MR. COLLAR: A brief statement in regards to that would be that I believe that it's a very well-run agency. I think it serves the youth of South Carolina extremely well, and I would love to be a part of it.

CHAIRMAN SENATOR PEELER: Okay. Questions or comments for Mr. Collar?

SENATOR Alexander.

SENATOR ALEXANDER: For the record, I would -- as far as attendance and meetings and there, can you comment on your availability from that aspect.

MR. COLLAR: I'm available to make all meetings unless something else comes up, like anyone else. Me being from Bluffton, it's about a two-and-a-half-hour ride, but my work schedule allows me to get to the meetings. So I can do that.

SENATOR ALEXANDER: So you wouldn't envision there being an issue with -- we just want to make sure, or at least I do, that if and when we elect folks to boards, we want them to show up.

MR. COLLAR: Yep. I will be there, as that wouldn't be a problem. Any other foreseen circumstance, other than car trouble or any other type of thing, but regular attendance is a priority of mine. I will be there.

SENATOR ALEXANDER: Okay. Thank you.

CHAIRMAN SENATOR PEELER: And you work for the Beaufort County School District.

MR. COLLAR: Yes, sir.

CHAIRMAN SENATOR PEELER: Assessment and accountability coordinator.

MR. COLLAR: Yes, sir.

CHAIRMAN SENATOR PEELER: What is that?

MR. COLLAR: It is an in-house made-up position in regards to -- the assessment portion is I run all of the school's testing, the ACT, the SAT, the PLAN and PASS assessments, including the assessment of our students of special needs. The accountability portion is I have roughly 373 individuals that are under my disciplinary constraints, so I'm in charge of a quarter of disciplining the students there.

CHAIRMAN SENATOR PEELER: Okay. I'd say, wouldn't that be an asset at Wil Lou Gray?

MR. COLLAR: Sure.

CHAIRMAN SENATOR PEELER: Senator Hayes.

SENATOR HAYES: In your capacity, have you had any dealings directly with Wil Lou Gray as far as some of your students going to Wil Lou Gray?

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MR. COLLAR: Yes, sir. We've had several students to take the opportunity to go there. I think in the past five years, directly at Bluffton High School, I think we've had five students successfully get through, which has been a great help. That community, as far as the Lowcountry Region, hopefully what I've done is promote the school to give parents that opportunity to go visit first and then possibly, you know, gain acceptance into their program, and I believe that it's served them very well.

They weren't having traditional success at our public high school, and they chose to take the opportunity and they've done very well for themselves.

SENATOR HAYES: Do you have any suggestions on how Wil Lou Gray might improve?

MR. COLLAR: As far as, I think, promotion, marketing the school a little bit better, possibly taking advantage of the South Carolina Virtual Charter School, in that capacity. The strength of Wil Lou Gray is the fact that it is required that they stay on campus, the residential aspect, to pull them away from the setting that they're currently not being successful in.

But promoting the school a little bit more in the different pockets of South Carolina, I think that would do well.

CHAIRMAN SENATOR PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: Following up on Chairman Peeler's question to a previous candidate, can you give me a description of how Wil Lou Gray is either similar or different from de la Howe school in McCormick County?

MR. COLLAR: I've only dealt with John de la Howe, that school, on a couple of occasions, with students choosing to go there instead of choosing Wil Lou Gray as an alternative route to their education process. I'm not with the inner workings of John de la Howe, as I would be more familiar Wil Lou Gray.

I believe a strength of John de la Howe would be, again, removing the children from the current setting they're being unsuccessful in, and I believe that their stays are longer. I think Wil Lou Gray, I believe, it's a three-month setting, where John de la Howe can actually prolong their stay for residential a little bit lengthier as needed, I think, per student case.

But I'm not very familiar with their agency as far as their employees or how that works. Both schools seem to do well serving the youth of South Carolina, but I don't know anything other than that.

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REPRESENTATIVE WHITMIRE: There may be an age difference there. Maybe they --

MR. COLLAR: And I do believe that they start a little bit younger.

REPRESENTATIVE WHITMIRE: Yes.

MR. COLLAR: So that -- almost like, I think, Epworth also -- the children's home, also takes students that are younger in age. So I believe that would be a difference.

REPRESENTATIVE WHITMIRE: I should know this because I was on the education committee for many years, but what does Wil Lou Gray offer? I know they offer a settling away from where the student, you know, was at home, but do they offer the same type of classes that you would see in a regular --

MR. COLLAR: Not necessarily. From my understanding right now, they still offer GED Track programs. They give the students the opportunity to take GED classes, so they teach more or less towards the GED test. They also, for children who do pass the GED the first time, they have a GAP program, I believe with Midlands Tech, where they can start to take classes through Midlands Tech en route to a four-year college degree.

REPRESENTATIVE WHITMIRE: That's great.

MR. COLLAR: So...

REPRESENTATIVE WHITMIRE: Okay. Thank you.

CHAIRMAN SENATOR PEELER: Any other Questions or comments?

What's the desire of the Committee?

SENATOR HAYES: Favorable.

CHAIRMAN SENATOR PEELER: Motion is favorable.

A second.

All in favor say aye.

ALL MEMBERS: Aye.

Opposed, no; and the ayes have it.

Thank you for your willingness to serve.

MR. COLLAR: Thank you.

## **CANDIDATES FOR COASTAL CAROLINA UNIVERSITY**

**1st Congressional Seat 1 - Expires 2019**

**GEORGE MULLEN**

**TUESDAY, MAY 19, 2015**

CHAIRMAN SENATOR PEELER: The next members, we'll go to the Coastal Carolina University. All of these candidates are all incumbent. No one is contested today, I don't think.

So first, we'll have George Mullen from Hilton Head Island, 1st Congressional --

MS. CASTO: Mr. Mullen has not arrived. We are running probably 30 minutes ahead of schedule. Mr. Lyles is here.

CHAIRMAN SENATOR PEELER: Okay.

MS. CASTO: And I'll tell y'all before they start, the university sent us these booklets that are in front of us that are quick facts about Coastal. So I think they want y'all to quiz their board members to see if you can find --

CHAIRMAN SENATOR PEELER: That must be why Mr. Mullins is not here.

SENATOR ALEXANDER: He's studying.

CHAIRMAN SENATOR PEELER: Yes, he's studying.

All right. So we'll skip over the 1st Congressional Seat 1 and go to the 3rd Congressional Seat 3.

William L. Lyles, Jr., from Anderson.

**3rd Congressional Seat 3 - Expires 2019  
WILLIAM L. LYLES, JR.**

MR. Lyles, if you would, raise your right hand.

MR. LYLES: (Complying.)

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. LYLES: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement on why you'd like to continue serving on the Coastal Carolina University Board of Trustees?

MR. LYLES: Stand, or do you want me to sit?

CHAIRMAN SENATOR PEELER: Sit and speak into the microphone.

MR. LYLES: As I stated in my very brief statement, that I'd like to continue the financials order of the university, offer what business experience I have at 40-something years in the wholesale beer business in Anderson, South Carolina. And basically, that's the nuts and bolts of it, giving my time and my work experience and facilitate matters and move on and try to take the university to growth.

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CHAIRMAN SENATOR PEELER: Any questions or comments of Mr. Lyles?

SENATOR ALEXANDER: A couple of comments. One comment and one question.

CHAIRMAN SENATOR PEELER: Absolutely, Senator Alexander.

SENATOR ALEXANDER: Thank you. Good afternoon. Good to see you.

MR. LYLES: Good to see you, Senator.

SENATOR ALEXANDER: Certainly I want to first and foremost appreciate your work and what you mean to our communities there in the Upstate. Being from Oconee County, the work that y'all do and the good corporate citizens --

MR. LYLES: Thank you.

SENATOR ALEXANDER: -- from that standpoint.

What do you see there at Coastal right now? Do you feel things are in pretty good order there?

MR. LYLES: I think things are better now than they've ever been. I've been a member of the board since '93, and I was a parent prior to that. And I've seen the growth go from 4,000-something to almost 10,000, or maybe 10,000 now.

Leadership, I couldn't say enough good things about our leadership. We have a strong board. We have good management on our board. We have lively discussions, and we watch. As I said in one of my statements, surveillance, constant surveillance.

And I think we're very transparent, and it's just a matter of how many buildings we want to build and how big we want to be. And --

SENATOR ALEXANDER: Well, it's a beautiful campus.

MR. LYLES: It is.

SENATOR ALEXANDER: And y'all are doing a lot of work, and I thank you for your willingness to continue to contribute to a very wonderful institution in our state.

MR. LYLES: Thank you.

CHAIRMAN SENATOR PEELER: Senator Scott has a question.

SENATOR SCOTT: Mr. Lyles, how are you doing today?

MR. LYLES: I'm doing fine.

SENATOR SCOTT: I notice that Coastal is about 60 percent in-state and 40 percent out-of-state students.

MR. LYLES: It's a little bit less than that now. I think it's 50 to 48 with this new in state against out of state.

SENATOR SCOTT: Fifty-eight in state?

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MR. LYLES: I believe that's what it is, yeah. It's in this package.

SENATOR SCOTT: It sounds like you took the old book there probably as you were coming in.

MR. LYLES: No. I encourage all of y'all to read that thing and make this thing go a little faster, but...

SENATOR SCOTT: Given the agreements occurring both in North Carolina and Georgia, Georgia has already adopted the agreement with those students that live in border states. They are going to begin to allow certain schools in Georgia and, I think, North Carolina had a bill of two, we're told, to allow those border-state students now to come to South Carolina, students to come into a very specific college at the same fair or fee to go to colleges as if a regular residential student.

What affect do you think that it's going to have on Coastal?

MR. LYLES: If they've qualified, I think it's a good idea, but here again, you know, Coastal was started in 1954 to serve a need to Horry-Georgetown County. That's first and foremost, and you just have to measure things. I think they call it in government "feasibility study." I think. It hasn't been done that I know of, but --

SENATOR SCOTT: Well, have you --

MR. LYLES: I think anything to make the university grow within our boundaries and our capabilities, I think it's good, but we have to make sure it's -- we can do it first.

SENATOR SCOTT: Well, the reason why I ask that -- and it may not work as well for Coastal -- Coastal out-of-state students pay \$23,300. In-state students pay \$9,960. The damage it could actually do with, you know, out-of-state students who live on the border -- because you're right there at North Carolina, or straight up the coast, with beautiful beaches and facilities that I traveled not too long ago. And I don't know how many students you have that are really border students who would qualify for that.

I would invite you to go back and immediately take a look at that.

MR. LYLES: Okay.

SENATOR SCOTT: It could really bring your numbers down, especially if you're in the middle of this.

MR. LYLES: I'm sure someone that you will talk to today might have a little better insight of all that.

SENATOR SCOTT: Okay. Thank you so much.

MR. LYLES: Thank you.

CHAIRMAN SENATOR PEELER: Any other questions or comments for Mr. Lyles?

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SENATOR Alexander.

SENATOR ALEXANDER: I think it's the appropriate time to move for favorable.

CHAIRMAN SENATOR PEELER: Mr. Whitmire has a quick question for him.

Mr. Whitmire.

REPRESENTATIVE WHITMIRE: I'm into the student growth. 615 percent sounds great, but do you get to a point where you're just too saturated with growth and that's more of your goal in trying to, you know, kind of rein it in? What's your feelings on that?

MR. LYLES: When my son started there in 1990, it was 4,000-something. We're now at 10,000. That is a good question.

But we're growing. We're building buildings thanks to lots of things. That's something that needs some serious discussion in years to come. Right now we don't seem to -- we haven't seen any problems that we can't handle with our management right now, but, you know, it concerns me to a certain degree. You know, you don't want to get too big for your britches.

REPRESENTATIVE WHITMIRE: You don't want to water down your --

MR. LYLES: No, I don't think that's going to happen. I think that's where our leadership comes in and then -- first and foremost, we watch tenure of professors. We want to make sure our professors are doing what they're supposed to be doing, and we're constantly monitoring students as well. And I haven't seen any instances where that would make me say, "No, you know, we've got to cut it off here."

REPRESENTATIVE WHITMIRE: Actually, you've got a really good product in a great location.

MR. LYLES: A wonderful location.

REPRESENTATIVE WHITMIRE: You've got 48 -- over 48 percent of your students willing to pay \$23,000 to come to the school. I mean, obviously, it's a real enticement.

MR. LYLES: Yes. It's a bargain. You know, we have a lot of people. And Senator Alexander can tell you, in Oconee County --

REPRESENTATIVE WHITMIRE: Yes, sir.

MR. LYLES: -- we have a ton of folks go around Lake Keowee and think they've died and gone to heaven because of prices and the beauty. And, you know, we offer the same thing at Coastal with the ocean and the -- we have a lot of pluses. The state has a lot of pluses.

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REPRESENTATIVE WHITMIRE: I'm glad you weren't open when I was in school, because I would have gone there, and I probably would have flunked out after one year.

CHAIRMAN SENATOR PEELER: If there are no other question or comments, Senator Alexander, we'll move this motion as a favorable report.

Is there a second?

A second is heard.

All in favor say aye.

ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed, no; and the ayes have it.

Thank you, sir.

MR. LYLES: Thank you.

SENATOR ALEXANDER: Good to see you again.

MR. LYLES: Good to see you too.

**1st Congressional Seat 1 - Expires 2019  
GEORGE MULLEN**

CHAIRMAN SENATOR PEELER: Mr. Mullen is here, Mr. George Mullen. I'd like to call him up. 1st Congressional Seat 1.

Good afternoon, sir.

MR. MULLEN: Good afternoon.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. MULLEN: I do.

CHAIRMAN SENATOR PEELER: For the record, if you would state your full name.

MR. MULLEN: George Edward Mullen from Hilton Head.

CHAIRMAN SENATOR PEELER: Very good.

Would you like to make a brief statement on why you'd like to continue to serve on the board?

MR. MULLEN: Yes, sir. I've had the pleasure of being on Coastal's Board for the past two years. I became extremely interested in the school when my son started in a special program three years ago. I have had the opportunity these past two years to be, obviously, much more involved.

The atmosphere at the university is just an exciting time to be at Coastal. It's a place of tremendous growth. You can see the excitement,

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not only in the administration, but in the students that I've gotten to know a number of.

I believe I've got certain abilities that I can add to it, particularly the fact that we're going through a growth time right now, a substantial amount of new construction on the campus. I have -- and my background is in construction litigation. That's all I've done for like the past 35 years. So I have a good feel for that aspect of the strategic planning from a construction standpoint, the construction that's going on, and I've been able to add to the board and my knowledge on those areas.

As I said, these times you find right now in higher education, you can't pick up the paper today without reading about issues, whether they be Sweet Briar College in Virginia closing up in two weeks or even closer to home, issues that we have with some of our schools. We have been fortunate at Coastal that we have not seen those issues. We have a steady growth in students wanting to come to our school.

It's critical that we remain relevant to what those kids need. It's critical that we do all this within a balanced-budget format. Our administration is committed to that. I know that our board that I've worked with is committed to supporting the administration in that.

I would certainly like the opportunity to be able to continue.

CHAIRMAN SENATOR PEELER: Okay. Questions or comments for Mr. Mullen?

SENATOR Hayes.

SENATOR HAYES: You've been on the board a couple of years. Do you see any areas that Coastal needs to work on?

MR. MULLEN: Well, the two areas that I addressed to this same group two years ago, that has improved, but it still needs more improvement. The first is the retention of freshmen students. When I came on board two years ago, our retention rate was 60 percent. Today it is 67 percent. Although it's better, it's still not good enough.

Our administration has a short-term goal of reaching 72 percent, which I find to be still inadequate. If you look at other typical schools of our peers, the College of Charleston, Winthrop, they're in the 80-percent retention rate, and we need to get our freshmen retention rate up to there.

Equally important, though, is our graduation rate. For some reason, our Government decides to judge graduation rates on a six-year basis, although my own son says he wishes to be on the five-year program himself. There's fairly a lot of people like that, but on a six-year graduation rate, our graduation rate is something like 46 and a half percent, which I find to be woefully inadequate.

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I mean, we're bringing kids to the school to teach them and to put them out into the real world to where they can become employed in meaningful jobs. To do this, we need to complete the task of not only getting them to the school, but getting them to graduate.

The administration has been actively addressing both of these issues. We have an initiative, which is basically a consumer-oriented -- it's called "Feel the Teal Initiative," where we're trying to become responsive to our clients. The students and their family are the clients of the university and made a significant effort to address that.

We've addressed new issues of -- on perhaps marginal admittees of a summer programs to bring these kids in to where if they're able to pass a couple of courses through the summer, they get a full admittance and then they get resources to support them through the remainder on their time at school. Academic resources is an area that we're improving, which is to help with the retention and with the ultimate graduation rates.

And if we increase the retention, the percentage of graduates just naturally follows.

CHAIRMAN SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. Chairman.

On your time on the board -- and I appreciate your service -- how would you classify your attendance at your meetings and responsibilities?

MR. MULLEN: I missed one meeting. Last May the 9th meeting, my dad passed away two days earlier.

SENATOR ALEXANDER: I'm sorry about that. We certainly understand.

MR. MULLEN: That's the only time that I've --

SENATOR ALEXANDER: Sure.

MR. MULLEN: In fairness, to answer that question, we have a board meeting on the 7th and 8th, and my daughter graduates from Vanderbilt Law School on the morning of the 8th, and I'll be missing that meeting.

SENATOR ALEXANDER: And you better be there. Congratulations to her as well.

MR. MULLEN: Thank you.

SENATOR ALEXANDER: And we understand how things of that nature and family obligations do impact you.

MR. MULLEN: I do spend a great deal of time at the school, though. I was there Saturday for their win over Radford. I do enjoy going to the local events because my son is in, you know, special program. It's called the LIFE Program there.

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I tend to go up most weekends. The LIFE Program is for kids -- my son has Down syndrome. So it's when kids are not in the ultimate degree-granting situation, but it gives them an opportunity to have the college experience and to learn job skills that, you know, will help them in life.

SENATOR ALEXANDER: Thank you, sir.

Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Any other questions or comments? What's the desire of the Committee?

SENATOR HAYES: Favorable.

CHAIRMAN SENATOR PEELER: Motion is favorable, and a second is heard.

All in favor say aye.

ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed, no; and the ayes have it.

Thank you, sir.

MR. MULLEN: Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Congratulations to your daughter.

MR. MULLEN: Thank you.

CHAIRMAN SENATOR PEELER: You're keeping in the family it looks like.

MR. MULLEN: I couldn't talk her out of it. I tried.

**5th Congressional Seat 5 - Expires 2019  
CHARLES EDWARD LEWIS**

CHAIRMAN SENATOR PEELER: Next, we have Charles Lewis from Gaffney, 5th Congressional District.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. LEWIS: I do.

CHAIRMAN SENATOR PEELER: For the record, would you state your full name.

MR. LEWIS: My name is Charles Edward Lewis from Gaffney, South Carolina, and I would just like to thank each of you for having us here today so that we can tell you a little bit about our university.

CHAIRMAN SENATOR PEELER: All right. Well, give us a quick statement, and then we'll ask you some questions.

MR. LEWIS: Well, first of all, I found out about Coastal Carolina back in the late '80s. My daughter received a basketball scholarship to go

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there, and thank goodness she played basketball, tennis, and graduated in four years. She went to law school and is an attorney now. But we have been watching Coastal Carolina, my wife and I and family, all of the years and especially how it has grown and what it was like when she went there and what it is like today.

If you haven't been to Coastal Carolina University, you need to go and take a look at a beautiful campus with beautiful buildings, and not only that, beautiful students. I've been to a lot of college campuses, and I must say, they're the most polite and helpful students that you will find anywhere. And if you ask them a question, they don't say, "It's down there." They take you to it.

It's a wonderful atmosphere with wonderful leadership, and I encourage all of you to visit there.

CHAIRMAN SENATOR PEELER: Good.

I understand in your report here, you said, "The strength of the school is a web-based outreach."

Share with us. What's the success of that and just what is that?

MR. LEWIS: Senator Peeler, the web base is a course. Most college campuses now have any type of electronics that you want, but web based means that we're sending out information about the school across the United States and also other countries. We have students, of course in South Carolina, which represent about 50 percent and out of state about 48.

But the web-based thing reaches out to students, and that's a lot of the way that they learn about Coastal Carolina and what curriculums they offer, and they also learn about the great price of going to Coastal Carolina and not so bad being in Conway and very close to Myrtle Beach.

CHAIRMAN SENATOR PEELER: And very successful in your opinion?

MR. LEWIS: Very successful.

CHAIRMAN SENATOR PEELER: Okay. Any other questions or comments for Mr. Lewis?

SENATOR HAYES.

SENATOR HAYES: Have you been on the board before?

MR. LEWIS: I've been on there since June the 5th, 2013.

SENATOR HAYES: And in your time on the board, does anything need to be improved there?

MR. LEWIS: I really think Mr. Mullens pretty much covered some of the things that we're really trying to improve; and that is, retention and graduation rate. I will say we have great leadership at the university, not

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only through the president and the administration, but I also feel like we have great leadership on our board and a very active board.

I know, Senator Scott, you asked about coming from another state. I will say Coastal Carolina turns down no South Carolina student that meets its requirements. Right now our freshmen class, their SATs are a little over 1,000, and their GPAs in high school are coming in about 3.7 percent. But Coastal Carolina does not turn down any South Carolina students that meet requirements.

CHAIRMAN SENATOR PEELER: That's good to know.

SENATOR SCOTT.

SENATOR SCOTT: I just wonder if you just want to expand a little bit on that.

MR. LEWIS: Okay.

SENATOR SCOTT: It's really not the South Carolina students I'm really worried about. I'm worried about the schools adjacent to you in North Carolina. If they start taking your students, which with any nearby coastal kind of university, you most likely will be in competition with some because they change cost and allowing now South Carolina students to go into North Carolina. That's where my concern is.

I want to make sure we stay competitive and that you continue to have the kind of success that you're now familiar with and have had for so long.

MR. LEWIS: I think Coastal Carolina will definitely stay competitive, and Coastal Carolina, actually a couple of years ago, we went two years without even raising tuition. And we have a housing program now where we will not have to raise our housing costs for probably at least the next 10 to 15 years or longer.

SENATOR SCOTT: Thank you.

MR. LEWIS: Thank you.

CHAIRMAN SENATOR PEELER: Mr. Whitmire.

REPRESENTATIVE WHITMIRE: Just one quick question.

MR. LEWIS: Yes, sir.

REPRESENTATIVE WHITMIRE: What's the name of your baseball coach; do you know?

CHAIRMAN SENATOR PEELER: Is it in the thing here?

MR. LEWIS: I just talked to him last week. I should. You caught me off guard. I don't know.

REPRESENTATIVE WHITMIRE: Is he happy at Coastal?

MR. LEWIS: He's is very happy. He's a Coastal graduate.

REPRESENTATIVE WHITMIRE: That's unfortunate.

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MR. LEWIS: He is. He is.

I've been on the board for two years, and I did have the opportunity to meet him the other week when we were -- when we had a dedication for the baseball and softball fields. And he is very happy at Coastal Carolina, and please do not try to steal him.

CHAIRMAN SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Following up on that, with your football program, so are you getting a new stadium or just a new field?

MR. LEWIS: Just going from grass to an artificial turf.

SENATOR ALEXANDER: What color turf is that going to be?

MR. LEWIS: It's going to be teal, sir. I've got a picture of it if you'd like to see it.

SENATOR ALEXANDER: That's all right. Now, that's a color.

MR. LEWIS: That's -- yeah.

SENATOR ALEXANDER: Thank you.

MR. LEWIS: It has the Chanticleer logo right in the middle, and it's teal, but it looks very nice.

SENATOR ALEXANDER: And one final -- and then who's paying for that for you, please, sir? It's TD -- is it? Or is it the TD Bank Center? Did they pay for the new facility -- the fake grass --

MR. LEWIS: Well, they --

SENATOR ALEXANDER: -- or are they contributing towards it?

MR. LEWIS: They are contributing towards that, yes, sir.

SENATOR ALEXANDER: They've got your name -- they've got their name on the outside of it, so they're --

MR. LEWIS: Well, it's still Brooks Stadium.

SENATOR ALEXANDER: Brooks Stadium, but --

MR. LEWIS: It's still Brooks Stadium.

SENATOR ALEXANDER: Y'all didn't let them put their name on the outside for nothing.

MR. LEWIS: No, sir, we didn't. They made a nice contribution.

CHAIRMAN SENATOR PEELER: One of the assets Mr. Lewis brings with him is he hangs around rich people. He's retired from Hamrick's in Gaffney, and now he's there at the Coastal Carolina. His daddy said to never marry for money. Just hang around rich people and fall in love.

Well, I'll tell you what. As chairman, I'll take the privilege of nominating Chuck Lewis and recommending a favorable report.

SENATOR ALEXANDER: Second.

CHAIRMAN SENATOR PEELER: All in favor say aye.

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ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed no; and the ayes have it.

Thank you, Chuck. Good to --

MR. LEWIS: Thank you very much. I appreciate it.

REPRESENTATIVE HENDERSON: Mr. Chairman, I was going to ask him if he spoke Gaffnese.

CHAIRMAN SENATOR PEELER: He does speak Gaffnese.

Now we'll have Gene Spivey, Myrtle Beach, At-Large Seat 9.

How do you do, sir?

**At-Large Seat 9 - Expires 2019**

**GENE SPIVEY**

MR. SPIVEY: Good.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. SPIVEY: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement on why you'd like to continue to serve on the board?

MR. SPIVEY: Brief.

As a Coastal graduate, I'd just like to -- I've been on the board for ten, twelve years now. I'll just keep doing -- keep on doing what we're doing.

CHAIRMAN SENATOR PEELER: If it ain't broke, don't fix it, right?

MR. SPIVEY: Yes, sir.

CHAIRMAN SENATOR PEELER: Any questions or comments?

SENATOR Alexander.

SENATOR ALEXANDER: Thank you, and good afternoon. Good to see you. Thank you for your service.

Could you characterize for me your attendance and your involvement as a board member, please, sir.

MR. SPIVEY: When you asked the question to the previous candidate, I'm trying to think when the last time I missed a meeting was. I don't miss many, if I've missed any at all. A couple, if I'm -- just like Mr. Mullens said a little while ago, I'm on campus probably at least every other week or so, if nothing else. The last week or so when I -- and my office is in Conway, and I go back and forth. I live at the beach.

SENATOR ALEXANDER: You're right there at the back door, aren't you?

MR. SPIVEY: I cut through campus just to go -- lately I'm just going and cutting through to look at our new teal football field, just to watch

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the installation process, and I just ride through campus and head on back to the beach. So I'm on campus fairly regular.

SENATOR ALEXANDER: Thank you, sir.

CHAIRMAN SENATOR PEELER: Any other questions or comments for Mr. Spivey?

Motion is a favorable report.

A second.

All in favor say aye.

ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed, no; and the ayes have it.

There's an advantage of coming towards the end.

MR. SPIVEY: I had all those other questions ready to go too.

Next, we'll have William E. Turner from Simpsonville, At-Large Seat 11.

**At-Large Seat 11 - Expires 2019  
WILLIAM E. TURNER III**

MR. TURNER: Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. TURNER: I do. Thank you.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement on why you'd like to continue to serve on the Coastal Carolina Board?

MR. TURNER: Yes, Mr. Chairman.

I actually prepared a statement, but you've already heard most of what I have written. So it's my pleasure to sit before you today.

Four years ago when I sat before this committee with a love for my alma mater, I didn't realize that that love could grow at all. However, over the last four years I can say that I love that university and the folks that make up this institution more today than I ever have before. And with your approval, I would like to continue the service and ride this wave of momentum that I feel Coastal is seeing today.

CHAIRMAN SENATOR PEELER: Okay.

Any questions?

SENATOR Hayes.

SENATOR HAYES: Having been on the board for one term, what do you see with the areas that need improvement?

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MR. TURNER: Growing up in Conway, Senator, I've watched this institution grow from a very small parcel of land with just a few buildings to what we see today. Education to the public surrounding the campus, as well as the public through South Carolina, has been a challenge for us. For many, many, many years, we've been seen as the small community college in the small town of Conway, but Coastal Carolina is no longer that small community college. We're, what I'd like to call it, the hidden gem within the state of South Carolina.

So making the public understand that fact has been a challenge and will be a challenge for some time to come.

CHAIRMAN SENATOR PEELER: Ms. Henderson.

REPRESENTATIVE HENDERSON: Thank you, Mr. Turner. I have the privilege of representing Mr. Turner in Greenville County, and I know that he does love this university, and I'm always glad to see alumni that want to come back. I know that it's not a short drive from up in our neck of the woods. It's a good five-hour drive, but I do appreciate your service.

And so I wanted to ask you, since you're chairman of the retention committee, a little bit about, you know, why it's been so low and what y'all are doing to get it up to where you think it should be.

MR. TURNER: That is an excellent question.

To speak to why it got to 59 percent a few years ago, I really don't have a solid answer for that; however, the initiatives that we've taken over the last three years to increase that rate from 59 percent to -- I believe it's 68 percent today, have been campus wide. We certainly had to educate all members of the faculty and staff as to the importance of our retention rate and make everyone understand that they all play a role in that.

Some of the initiatives that have taken place over the last few years are future learning outside of the classroom. We have initiatives that take place in student housing. We recognized a need to better our advisement of students.

We feel, as a board and as the administration at Coastal, that every student that succeeds at Coastal has to make connections somewhere. Whether that connection is with an administrator or a professor or a coach, the connection has to be made. So now that everyone understands the importance of the retention, keeping the students from going back to another state after their freshmen year is of the utmost importance. And as we will see, with the increase of our retention rate, our graduation rate will also increase over time as well.

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CHAIRMAN SENATOR PEELER: Thank you.

REPRESENTATIVE HENDERSON: Favorable at the appropriate time.

CHAIRMAN SENATOR PEELER: We have a question from Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Turner --

MR. TURNER: Thank you.

REPRESENTATIVE WHITMIRE: -- and your willingness to serve. I'm looking at a couple of questions.

First, on question four about do you think the current enrollment is on track? Please state why.

You say you feel like growth should be between 1 and 3 percent.

MR. TURNER: Yes, sir.

REPRESENTATIVE WHITMIRE: And you've got the infrastructure and workforce to support 12,500 students right now. Do you anticipate a projection long term, ten years or twenty years from now, of how many students you may have at Coastal?

MR. TURNER: We have a goal of 12,500 students by the year 2020. For that reason, we've been growing our infrastructure both with brick and mortar, as well as the electronic facets that go into that. Students have a greater demand for bandwidth today than they have ever had before. So we've invested considerable funds in making sure that they have the tools necessary to support that growth.

REPRESENTATIVE WHITMIRE: Okay. And my other question is on the next page as part of question five we're talking about the percentages --

MR. TURNER: Yes.

REPRESENTATIVE WHITMIRE: -- of out of state versus in state. And obviously, out of state is going to bring you a lot more money in, and I understand the economic factor, but that is a question that's come up time and time again in these hearings, not just your school but schools across the state. Are we severing the needs of the young people of this state first versus going out of state?

MR. TURNER: Yes, sir.

REPRESENTATIVE WHITMIRE: And would you care to comment on that?

MR. TURNER: I would.

Like has been stated before by Mr. Lewis and potentially others before I walked in the door, we will not deny admission to any in-state student that meets the minimum requirements. With that, we certainly want the in-state students to come to Coastal Carolina.

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We recognize we have a unique challenge in this state with some very longstanding traditional institutions in Clemson and South Carolina, Furman and Wofford and others. We certainly want to compete with those institutions, so we make it a point to, obviously, set minimum requirements, but also to admit every student that meets those minimum requirements.

REPRESENTATIVE WHITMIRE: What are the minimum requirements?

MR. TURNER: Our minimum SAT score is, I want to say, 910; however, SAT scores and ACT scores are not the only factors we take into account when looking at a student's application. We certainly look at their class ranking. We look at their extracurricular activities. We look at their overall GPA as a student.

I have a daughter who's a phenomenal student, but she's not well into -- she doesn't do well on standardized tests. So fortunately, we do have other factors that we look at other than just the minimum testing scores.

REPRESENTATIVE WHITMIRE: Okay. Thank you.

CHAIRMAN SENATOR PEELER: Senator Scott.

SENATOR SCOTT: One question.

MR. TURNER: Yes, sir.

SENATOR SCOTT: You're \$9,960 and in some places \$10,000 a year -- 10,040. The 9,960, that's just tuition. What about for room and board and other costs? At the end of the day, what is an in-state student paying for all the costs associated with going, and also, what's an out-of-state student paying for the total package, if you have that?

MR. TURNER: Sure.

The room and board is going to average between -- I want to say it's about \$8,800 to roughly \$10,700 depending on the options they choose. And if I'm not mistaken, that figure is the same for in state and out of state.

SENATOR SCOTT: And the meal ticket is included in that?

MR. TURNER: Yes, sir.

SENATOR SCOTT: Okay. Thank you so much.

MR. TURNER: And as has been stated once before as well, with some initiatives that we're taking by the board and the administration, we should not see an increase in those housing rates for the next foreseeable future.

SENATOR SCOTT: Roughly 20,500.

MR. TURNER: Roughly \$20,000 a year for an in-state student, yes, sir.

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SENATOR SCOTT: Thank you so much.

CHAIRMAN SENATOR PEELER: Any questions or comments?

MS. Henderson already indicated a favorable report for her constituent.

A second is heard.

All in favor say aye.

ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed, no; and the ayes have it.

MR. TURNER: Thank you very much, sir.

CHAIRMAN SENATOR PEELER: Now is Senator Turner your senator or is --

MR. TURNER: Senator Bright is my senator.

CHAIRMAN SENATOR PEELER: Okay.

MR. TURNER: Yes, sir.

CHAIRMAN SENATOR PEELER: I wondered if you were related to Senator Turner. I thought he was in Spartanburg.

Next, we have William S. Biggs from Anderson, At-Large Seat 13.

**At-Large Seat 13 - Expires 2019  
WILLIAM S. BIGGS**

MR. BIGGS: Thank you, Senator.

CHAIRMAN SENATOR PEELER: Let me swear you.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. BIGGS: I do, Senator.

CHAIRMAN SENATOR PEELER: For the record, if you would give us your full name.

MR. BIGGS: William Sherman Biggs.

CHAIRMAN SENATOR PEELER: Good.

Do you have a brief statement?

MR. BIGGS: Yes, sir. Thank you very much.

It's been my privilege to serve for the past ten years on the board at Coastal Carolina. The last half of year I've been the vice chair of the board, but more important to me is the last four years I've watched my daughter as a student, grow as a person, to see her mature, and to see her enjoy her college life. This May I'll be the proud dad sitting up there and watching her walk across the stage.

She was just inducted into the National Honor Society. She is very involved in her sorority. And the only thing that really concerned me is when Coach Ellis talked her into being the manager on the men's

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basketball team and she started traveling with them. But she's enjoyed that experience also, even though I've lost a few hairs over it.

But it's -- I've seen the quality of education that's given at Coastal. I would like to say she was going to work, but she's decided to stay for her master's. And then she's informed me, after that, she wants to go to law school. And I'm like, "I'd like you to get a job one day."

But the quality of our professors, the quality of the administration we have, and I think the leadership of this board has made it where I can say that I'm proud my daughter is a Coastal Carolina alumni, and I want to continue that service. I want to see all the universities in this state perform.

As a business owner, I have about 2,000 employees in Maryland, South Carolina, and Alabama, and I look for quality leadership. In fact, I will be interviewing one of the gentlemen who will be graduating with a master's from Coastal to put in an administrator-in-training program with us. I want to be able to offer those opportunities to our bright young men and women who graduate from out universities. So I'd like to see that continue.

Thank you.

CHAIRMAN SENATOR PEELER: Thank you.

Questions or comments?

SENATOR ALEXANDER: Mr. Chairman.

CHAIRMAN SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. Chairman.

And certainly, first and foremost, I want to thank you for your service on Coastal's Board. But what you mean to our communities in the Upstate, you're a tremendous corporate citizen. I appreciate those efforts.

In those ten years you've been on the board, what is the biggest change that you've seen from that standpoint?

MR. BIGGS: Well, in ten years, it's been the growth that we've faced. And as we look at growth in the future, you know, yes, we're preparing for that growth with the new buildings, but a building is not worth anything without quality professors, without the people that make the difference, very much like in our nursing homes. It's the people, not the building, that gives the quality of care. Well, it's the professors, and we need to make sure we're recruiting top-notch professors, and we're not - and with that, I think we'll see that retention rate grow.

You know, some of our retention, you know, in honesty, some kids can't get into -- let's use Clemson as an example. They'll come to

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Coastal and then transfer to Clemson the next year. That's not a bad thing, but we want to see them come to Coastal and say, "I would rather stay here."

SENATOR ALEXANDER: So it gets to that point -- if I could, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Sure.

SENATOR ALEXANDER: What you're saying, a lot of times with your rates, it's not that they're withdrawing from getting out of higher education. They're just going back to other institutions.

MR. BIGGS: To another university that they may not have qualified -- but --

SENATOR ALEXANDER: In state or out of state.

MR. BIGGS: In state or out. It Might have been a little higher than we were, but -- and then also, I think we need to see our alumni to continue to grow and get more involved. If you look at -- and using three universities in our state, Clemson, South Carolina, and Citadel -- huge alumni basis.

Those alumni bring in a lot of money to the university. Their children follow up. Our alumni basis -- our alumni program is working to keep that in our state, but we do not see our alumni taking the leadership roles back into universities that you do in those. But I think that's starting to happen, because now we're getting out and meeting our alumni in different places.

In fact, our president just came back from Iceland from meeting with -- it was unbelievable -- over 50 alumni there, and they invited him to come out and speak. And they're taking more interest in our university from another country.

SENATOR ALEXANDER: Mr. Chairman, if I could, one final question.

CHAIRMAN SENATOR PEELER: Certainly. Yes, certainly.

SENATOR ALEXANDER: Thank you, Mr. Chairman.

And in your service since the last screening, your participation percentagewise, meetings and things have been --

MR. BIGGS: I have missed one board meeting in that time. Again, a death in the family. My father-in-law passed away.

And I've missed one committee meeting through the need to be here for a meeting.

SENATOR ALEXANDER: Sure. Well, I understand that. So thank you.

It's good to see you today too.

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MR. BIGGS: You too, sir.

SENATOR ALEXANDER: Thank you.

CHAIRMAN SENATOR PEELER: Any other questions or comments for Mr. Biggs?

SENATOR ALEXANDER: I'd move for favorable if this time is appropriate.

CHAIRMAN SENATOR PEELER: At the appropriate time I'll -- you say you've managed VA Nursing Homes.

MR. BIGGS: Yes, sir.

CHAIRMAN SENATOR PEELER: Define the "manage" part.

MR. BIGGS: In South Carolina, we have the two, two of the Veterans Nursing Homes, Richard Campbell in Anderson -- and I've been involved with that home since it really opened -- and the Veterans Victory House in Walterboro. The state of South Carolina puts out an RSD for the management of those homes. We put in for that over 15 years ago and was granted the privilege of caring for those veterans.

I am a veteran myself. My dad was a World War II veteran. So to me, it's a privilege and an honor to get to care for those men and women who gave so much to this country.

But we also manage the Maryland Veterans Home in Charlotte Hall, and we manage the four veterans homes for the state of Alabama.

CHAIRMAN SENATOR PEELER: So that means that they just hand you the keys and you take care of everything from --

MR. BIGGS: We take over and do everything --

CHAIRMAN SENATOR PEELER: -- janitorial --

MR. BIGGS: Hiring, cleaning, cooking.

Yes, sir.

CHAIRMAN SENATOR PEELER: Good.

You've been on this board for nine years, and I personally feel like it helps the university, but are you tracking the success -- I know we kind of had some humor about the baseball coach and all the basketball and football. The success of the Chanticleers on the athletic --

MR. BIGGS: Yes, sir, I do. I was -- you know, like many of us, I think about -- I look back. I'm a whole lot better athlete today than I was when I played. But I love college athletics.

Whether -- you know, at Coastal, with my daughter on the team, I've traveled to most of their basketball games. I was in Omaha for the NCAA Tournament.

Gary Gilmore has done a great job. We're glad that Auburn didn't get him and Tennessee didn't get him. They both tried. But the success that

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we've had there, we've been ranked as high as 19th in the country this year.

Football -- you know, when you really look at Coastal's football, 12 years in and seven Big South Championships. I think if you ask any university, in starting a program, if they could have that success, would they take it, and they would sign up all day long. But, you know, athletics is part of the college life. For the students, it brings them back in.

But what this has done by our baseball team making the Super Regionals, our basketball going to the NCAA two years in a row, our football team making it to the final eight, soccer making it into the tournament every year, women's golf just won the Big South, those type things are what -- you know, so many people look at a university because the only place they'll see them is on TV, and it gives us the recognition throughout the country that helps us grow and makes students interested. They see Myrtle Beach.

We hosted the Big South Basketball Tournament. Myrtle Beach has been all over ESPN for three years. And yes, they're showing our facilities, but when they go to commercials, they're showing Myrtle Beach. They're showing what we have to offer to everyone on this coast that come here to vacation, and it also draws students to us.

CHAIRMAN SENATOR PEELER: Kind of like it's paying off --

MR. BIGGS: Yes, sir.

CHAIRMAN SENATOR PEELER: Okay. Motion is a favorable report.

All in favor say aye.

ALL MEMBERS: Aye.

CHAIRMAN SENATOR PEELER: Opposed, no; and the ayes have it.

MR. BIGGS: Thank you very much. Senator, it's good to see you.

**7th Congressional Seat 7 - Expires 2019**

**NATASHA HANNA**

CHAIRMAN SENATOR PEELER: Great job.

Natasha Hanna from Conway, 7th Congressional Seat.

Good afternoon.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MS. HANNA: Yes, sir, I do.

CHAIRMAN SENATOR PEELER: For the record, would you give us your full name.

MS. HANNA: Yes. Natasha Hanna.

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CHAIRMAN SENATOR PEELER: Okay. Would you like to make a brief statement?

MS. HANNA: I'd love to.

My name is Natasha Hanna, and I have been on the board of trustees at Coastal for five years now. I've started since 2009.

I'm a graduate. My husband's a graduate. We live near the university. We're very involved in the university.

I have two kids, and we can also be seen at sporting events or cultural events or just riding our bikes around campus. And I'm very involved in the university. I love to talk about my school.

And I was thinking as I was coming up here, the bad thing about going last is my friends behind me have already taken all the brilliant answers. So I hopefully will have something to ask of and want to answer any questions or talk about my school.

CHAIRMAN SENATOR PEELER: Well, the pressure is on this side to come up with a brilliant question.

And for the brilliant question, who wants to ask it?

SENATOR ALEXANDER: You're doing good, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Do you want to tell us the pink sweater story again? I remember that the last time you were here.

MS. HANNA: Every time I come up here, I have to talk about the pink sweater. Senator Knotts, he's given me a good hard time about that.

When I was 17 and my best friend and I got in an argument after --

CHAIRMAN SENATOR PEELER: I was just teasing. You really don't have to.

MS. HANNA: It wouldn't be traditional unless I had --

CHAIRMAN SENATOR PEELER: Okay. Share it with us. Sorry I interrupted you.

MS. HANNA: No, no, no. It really doesn't get much better than that. We had a good dispute, and I get to talk about it 20 years later.

CHAIRMAN SENATOR PEELER: You're with the university -- or State Committee on the Higher Education Commission. Do you still serve on that?

MS. HANNA: I actually got replaced just last month. I served as a commissioner on CHE for four years and loved every minute of it, despite some of the negative things I've been reading lately in the news. I loved it.

CHAIRMAN SENATOR PEELER: Well, that leads into my question. There was a suggestion to eliminate the CHE. What do you think about that?

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MS. HANNA: I think one of two things needs to happen. It either needs to be eliminated, or it needs to be empowered with more authority.

I loved CHE, and CHE does a wonderful thing. I kind of thought of ourselves as the policeman that sits on the side of the road, and you're late to work, but you know that policeman is sitting there, so you slow down and make sure you do the speed limit. That's what CHE is. That's how they serve.

We oversee institutions, but I don't think they have a lot of authority and power. CHE doesn't have the ability to go tell a university that they're beyond their budget or they're financially weak. So I think it either -- I really don't think it needs to be disbanded. I think there's other things that can be done.

Virginia -- I had the opportunity to go with our president and our lobbyist and another board member to study the schools in Virginia, and they have a wonderful relationship with their legislature. And I think we ought to look at Virginia and see how our sister states do it and follow what they do to get at new life in the CHE.

CHAIRMAN SENATOR PEELER: Questions or comments?

SENATOR Scott.

SENATOR SCOTT: Given the present environment of what's going on with schools across the country, especially in South Carolina, do you foresee CHE being that clearinghouse with budget, as well as for other formal requests for school construction or additional curriculum for the survival of these schools? Because most of these schools come with different missions and satisfy a lot of different things in the state.

What's kind of your vision?

MS. HANNA: I think what you're talking about is more of a Board of Regents, and I'm not a fan of the Board of Regents, because I think that the control needs to say at the institutional level. I mean, my trustees, they -- we all do a great job, and we take our job very seriously. I shouldn't say "my trustees." My colleagues here.

We take our job really seriously. We focus. We ask questions. We know what's going on in our institution, where I think as a Board of Regents, it takes that control to a much higher level, and I think there's too much of a disconnect between the Board of Regents and the local institutions.

One thing I've seen that I really like in the last four years is the collaboration between the institutions. I think in South Carolina we need to stop being so competitive. Clemson has a role and USC has a role,

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Coastal has a role. We need to stop being so competitive, and we need more collaboration with our technical colleges.

And that's the one thing I've seen in four years that has just soared, the collaboration between the institutions and the technical colleges.

So to answer your question, I don't like a Board of Regents. I think the control needs to stay at a local level.

SENATOR SCOTT: I'll have to agree with you on that. We have taken a look at it, and part of the study shows that even the Board of Regents, in terms of financing these institutions per student cost, I think North Carolina -- University of North Carolina at Chapel Hill, they receive \$15,700 a student. A&T receives 8,700. So there's still some real issues when it comes down to funding these colleges and universities.

Thank you for your answer.

MS. HANNA: Thank you.

And that's something else that we talked about at our board meetings, and we would love for the legislature -- I mean, we're blessed at Coastal. We know that we don't have the same negative things that other schools in our state have to worry about. Being on CHE, I can see the problems that Lander may have or Francis Marion may have as far as getting students there, but we still need State funding.

And we would love to see the day where we can look at a student and say, "If you come to our school, you're worth just as much as if you go to Clemson or you go to Francis Marion."

We would love it if the State would treat every incoming student, regardless of school they go to, as an equal.

SENATOR SCOTT: So in essence, you're talking about really changing the formula.

MS. HANNA: Yes, sir.

SENATOR SCOTT: Thank you.

MS. HANNA: Thank you, sir.

CHAIRMAN SENATOR PEELER: Any other questions or comments?

SENATOR Alexander.

SENATOR ALEXANDER: And good afternoon. I see and appreciate the answers.

And obviously where you live there, I'm sure you're heavily engaged in the board, but just for the record of being consistent as far as your involvement and attendance at board meetings and different things, could you characterize that for me, please.

MS. HANNA: Yes, sir, I'd be glad to.

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I actually looked that up. There was a discussion several months ago. I'm glad you asked me that.

Over the five years, I think we have been called to approximately 55 formal meetings, and of those 55, I missed four-and-a-half days. And some of those four-and-a-half days, one, I had surgery done at USC. Another one, I was across campus at another architectural committee meeting. And I don't remember the other couple of meetings.

SENATOR ALEXANDER: I see. That's a good record.

MS. HANNA: Thank you.

SENATOR ALEXANDER: Thank you.

MS. HANNA: Thank you.

SENATOR ALEXANDER: Good.

CHAIRMAN SENATOR PEELER: Ms. Henderson.

REPRESENTATIVE HENDERSON: Thank you.

Thank you for your service.

I want to follow-up on your comment you just made and make sure I understood that right.

So you were talking about the State's commitment financially to different institutions of higher education, and I might have heard it wrong, so you tell me if I heard it wrong. But you basically said that your hope and wish is that the State would treat all of the institutions the same so that when a student came, they could offer them the same thing. So I'm trying to understand what you meant by that.

MS. HANNA: Yes, ma'am.

What I mean by that is clearly -- and I hate to use specific schools, but one school may get 20 percent and Coastal may get 8 percent of their budget. What I would like to see one day is something more closer to say, okay, if you are a student in South Carolina, \$8,000 is going to be devoted to you. So if you took \$100,000 -- I'm having a hard time explaining it.

If -- every student should be worth the same amount. Whatever the State gives should be given to each institution.

REPRESENTATIVE HENDERSON: Costs that we have in secondary education.

MS. HANNA: Yes.

REPRESENTATIVE HENDERSON: I thought you were trying to say that the scholarship monies were different --

MS. HANNA: Oh, no, no, no, no.

REPRESENTATIVE HENDERSON: -- and the funding is the same.

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MS. HANNA: No, I'm talking about the State money. Yes, ma'am, the State money that's given to each school --

REPRESENTATIVE HENDERSON: Right.

MS. HANNA: -- that if we have 100 students and you give us the same amount as you would any other institution. And I realize there's no perfect formula. That truly wouldn't work in essence if it's -- it might cost more to do renovations at the Citadel than it would at Coastal.

REPRESENTATIVE HENDERSON: Yes.

MS. HANNA: So I understand that that formula may not work perfectly, but it sure would be nice to have a little extra cap.

REPRESENTATIVE HENDERSON: One other, if you don't mind.

CHAIRMAN SENATOR PEELER: Sure.

REPRESENTATIVE HENDERSON: One other CHE question I want to ask you.

So have you -- when you were on CHE, did y'all ever discuss the issue of for-profit universities? And I'm curious because it's kind of a national conversation that's happening in a lot of states, and I'm just curious what your view is.

MS. HANNA: I wish we had an hour to talk about for-profits. That is --

CHAIRMAN SENATOR PEELER: We don't.

MS. HANNA: That is something that is not okay with me. I saw many, many, many for-profit institutions come through, and it's unfortunate that they don't have to follow the same criteria that our in-state institutions do yet they come here. They market our students. They have these beautiful TV ads.

"Come on in. We'll hug you. We'll give you a cup of coffee. And for \$27,000, you can get the same degree that you can get for free at Horry-Georgetown or our Trident Technical Colleges."

So yes, we had many conversations about the for-profit institutions.

REPRESENTATIVE HENDERSON: Thank you.

CHAIRMAN SENATOR PEELER: Okay.

REPRESENTATIVE HENDERSON: I won't ask any more.

CHAIRMAN SENATOR PEELER: Oh, no, you can.

Other questions or comments?

Motion is a favorable report.

Is there a second?

A second is heard.

All in favor say aye.

ALL MEMBERS: Aye.

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CHAIRMAN SENATOR PEELER: Opposed, no; and the ayes have it.

Thank you so very much for your willingness to serve.

Thank you for the great job you all are doing.

That concludes our agenda, and I appreciate your attendance and your participation. We'll stand adjourned.

(The screenings concluded at approximately 2:22 p.m.)

**MOTION ADOPTED**

On motion of Senator O'DELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Carl Stroud of Greenwood, S.C. Carl was a lifetime member of the South Carolina Waterfowl Association. He was an avid fisherman and hunter. Carl enjoyed traveling, backpacking, reading and listening to music. He was employed by the O'Dell Corporation. Carl was a loving son, devoted brother and friend who will be missed by many.

and

**MOTION ADOPTED**

On motion of Senator MASSEY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Benjamin Anderson of Greenville, S.C. Ben was inducted into the Clemson University Athletic Hall of Fame. He earned his J.D. degree from the University of South Carolina School of Law and returned to Clemson as General Counsel and Secretary of the Board of Trustees. He was an avid tennis player and golfer who was a great friend and will be dearly missed.

**ADJOURNMENT**

At 3:16 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 2:00 P.M.

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