**Wednesday, January 25, 2017**

**(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 ACTING PRESIDENT, Senator SETZLER.

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

Romans 8:28

“We know that God causes all things to work together for good to those who love God, to those who are called according to His purpose.”

Let us pray.

Almighty and sovereign God, your guiding hand has allowed us to grow, change and mature as the people of this great State. As we have just witnessed, this process has produced unexpected political events that surprise us but not You O God. You see clearly what we see dimly. Your providential power is omnipresent in every aspect of our lives. Many Senators here today have felt and known first hand this providential power in their own life journey to the Senate.

Now we see this in an extraordinary way as we experience the orderly transfer of leadership at the highest level of our state government: Governor Nikki Haley becomes the US Ambassador to the United Nations; Lt. Governor Henry McMaster becomes the Governor of our beloved State. Both of them are entering unknown territory with Your blessing and the blessing of this legislative Body. It is now and in the days ahead, that we pray fervently for Your hand to continue to guide their steps so that their actions will clearly be:

A product of Your grace

A reflection of Your will

And a glorification of Your holy name

We offer this prayer with the assurance of Your divine love and care, Amen.

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

**COMMUNICATION RECEIVED**

January 24, 2017

Mr. Jeffrey S. Gossett

Clerk of the Senate

South Carolina Senate

Post Office Box 142

Columbia, South Carolina 29202

Re: Resignation as Senate PRESIDENT *Pro Tempore*

Dear Mr. Clerk:

Please permit this letter to serve as official notice of my resignation from the office of Senate PRESIDENT *Pro Tempore*. This resignation is effective immediately.

As you know, serving as PRESIDENT *Pro Tempore* of the Senate is voluntary. Consequently, the Senate’s legal counsel has opined that this resignation is fully consistent with the PRESIDENT’s *Pro Tempore* duties under the South Carolina Constitution. Additionally, the Senate’s legal counsel has related that this resignation is effective upon your receipt of this letter, either electronically or via hard copy, and that no further action is then required to effectuate the resignation.

I thank the Senate for the honor and privilege of serving for over two and one-half years as PRESIDENT *Pro Tempore*. As I have done since 1980, I look forward to continuing to serve in the Senate in the interests of the citizens of Senate District 31 and, indeed, the citizens across all of South Carolina.

Respectfully,

Hugh K. Leatherman, Sr.

**Election of the PRESIDENT *PRO TEMPORE***

On motion of Senator CAMPBELL, the Senate proceded to the election of the PRESIDENT *Pro Tempore*.

Senator SETZLER announced that nominations for the office of PRESIDENT *Pro Tempore* were in order.

**Nomination**

Senator MARTIN was recognized to make nominating remarks and placed the name of Senator BRYANT into nomination for the office of PRESIDENT *Pro Tempore*.

Senator MALLOY seconded the nomination of Senator BRYANT and moved that the nominations be closed and that the Senate procede to a vote.

**Remarks by Senator Martin**

Mr. PRESIDENT, members of the Senate, I rise today with the honor of nominating for the office of PRESIDENT *Pro Tempore* of the South Carolina Senate, my friend and colleague, Senator KEVIN BRYANT. I make this nomination very well aware of what lies ahead for the next PRESIDENT *Pro Tempore*. I am very proud to support my friend and colleague even though it will soon mean his absence from our Body. I am glad for him but sad for myself and the South Carolina Senate. I have been privileged to serve with Senator BRYANT and gratified to become his friend. I’m proud to make this nomination for several reasons. Senator BRYANT has embodied, for me, a Senator who remains true to his principals while working with all other members of the Body to achieve positive gains for South Carolina. I hope that I have grown in that ability, and to the extent that I have, I owe a great deal of thanks to Senator BRYANT who has achieved consensus on issues ranging from cybersecurity, to school choice, to our state pensions. He has lead the way on reforming the Department of Employment and Workforce and succeeded in persuading this Body to use cash on hand for our state port dredging instead of borrowing money and incurring more debt. Being the one to work with him on this issue and help him achieve this, it taught me a valuable lesson and I thank you for that Kevin. His efforts to advance the cause of innocent life have been significant, and even more so because it took collaboration with all of our colleagues who may not have been in agreement. What impressed me most about Senator BRYANT, is he remained aware and in tune with the sentiments of all Senators. He and I talk often about making sure the minority gets heard because often times we were, and still are, in the minority. I believe he will continue to be fair in his new role and that makes me all the more pleased to make this nomination. I want to thank Senator BRYANT for his direction the second year into my first term. I became frustrated when Rule 24’s were pending on the budget, and had reconsideration votes, and matters that required commitments. He advised me, “Senator, they’ll quit coming to you once you make your commitment. You stand by that commitment and you keep your word.” This advice served me well. I think it served Kevin well also. That is probably one of the biggest lessons he has helped me learn in this Body and I want to thank him for that. He has a record in this Body of respecting our rules, the members, and all the traditions of the South Carolina Senate. I believe he will conduct himself with that same respect. Senator BRYANT understands the Senate and what it takes to ensure each member’s voice is heard whether it may be inconvenient to some or it may be a little frustrating. He understands it. That is why he is the person for the job. From his fight for Jessica’s Law his very first year in the Senate to a couple years ago fighting for the tax payers in his home county of Anderson, he knows what it’s like to be a Senator with a lonely and difficult position. That is why I know he is going to treat each and every one of us with all the care and respect that our rules will allow. There is one small advantage for me. Kevin and I used to talk about racing to the podium. With him no longer in the Chamber, I might actually get the win to the podium to stop a tax increase. That is the one positive. Members of the Senate, I am proud to put in the nomination for the office of the PRESIDENT *Pro Tempore* of the South Carolina Senate, the Senator from Slabtown, I mean Anderson, KEVIN L. BRYANT.

**Remarks by Senator MALLOY**

Thank you, Mr. PRESIDENT, members of the Senate. It is my honor to second the nomination. Our dear friend, the former PRESIDENT *Pro Tempore*, former Lieutenant Governor and the current President of the College of Charleston, Glenn McConnell, had a nickname that he gave the Senator from Anderson with the utmost affection. The nickname that he bestowed on Senator BRYANT was the “moderate voice of the radical right.” It is that voice that I rise to nominate as our PRESIDENT *Pro Tempore* and our next Lieutenant Governor, and to say good-bye to a voice that this Body will dearly miss.

Although we are from different parties, Senator BRYANT never saw an impediment to working together. He always understood, as some regretfully do not, that no matter what label we have when we to get to Columbia, that when we arrive here, when we are on this floor and in this Senate Chamber and when we act, that we play for the same team -- that team is the State of South Carolina. He always wanted that team to win.

It is with that mindset that Senator BRYANT governed. He worked to make South Carolina the best State that he thought it could be. He introduced and fought for legislation that his values and philosophy taught him was best. But along the way, he would listen to the other side and take suggestions to improve his Bills. When he felt it was necessary, he would hold the line -- a hard line -- but he would always find ways to compromise but never surrender his principles or what he believed in. He understood that sometimes a grand compromise was better than a glorious defeat. That is why he was able to achieve victories when no one believed that victory was possible. It was because of these traits that he went from simply being a member of this Body to being a statesman within this Body.

I have great memories of Senator BRYANT on a personal side during one of our darkest hours. When we lost our brother Clementa Pinckney, I got countless text messages from Senator BRYANT. He told me, “Ann can't stop crying for those children.” He talked about grace. He talked about forgiveness, wisdom, humility and reconciliation and he followed through.

Back in November, he called me and said, “You know, I'm going to work on something with race reconciliation. Would you come to Anderson?” So I went to Anderson and we sat there in a room and took questions and talked. We went back in and had pizza. Then Mrs. Bryant called us and gave us breakfast. Mrs. Bryant and Mr. Bryant, thank you for having us in your home.

He talked about what he wanted South Carolina to end up being. It was difficult for him during that time because Senator BRYANT didn't just honor what the polls said in his district. It was during that time that the Confederate flag came down. His poll numbers said one thing. His heart said another. It was a place in time. So we have some personal things that we have gone over.

Senator BRYANT is a force to be reckoned with. May the force be with you. We have this thing also -- many people ask, “How do you get along with Senator MALLOY?” We have a package deal. “Truth is better than harmony and I don't need anyone to tell me yes. I need everyone to tell me the truth.” When he says that, he finishes with a “chitty chitty bang bang.” So I have no reservation in nominating Senator BRYANT to preside over this Body because I know that while his political ideology points him to the right, that his moral compass is firmly centered on doing what is right.

He will act competently, fairly and with the goal of doing what is best for our State and that is all that we could hope for. I will miss Senator BRYANT and he will leave big shoes to fill. It will be his leaving and the legacy of his accomplishments that will hopefully set the example for someone to emulate. If there could be a silver lining to losing Senator BRYANT, it would be that his loss will lead to the rise of three or four other Senators who agree to pick up the mantle of his service that he leaves behind and agree to shepherd that example to the next generation of elected officials. As we know, “Even the son of man did not come here to be served, but came to serve. He gave his life for ransom for many.” Senator BRYANT has given up part of his life for public service.

With that in mind and on the heels of those who came before him, I humbly put into nomination as the next PRESIDENT *Pro Tempore* of the Senate and our next Lieutenant Governor, my friend, Senator KEVIN BRYANT. Thank you.

On motion of Senator SHEHEEN, with unanimous consent, the remarks of Senators MARTIN and MALLOY were ordered printed in the Journal.

The question then was the election of Senator BRYANT to the office of PRESIDENT *Pro Tempore.*

Whereupon, the acting PRESIDENT announced that Senator BRYANT was elected to the office of PRESIDENT *Pro Tempore*.

**Recorded Vote**

Senators CAMPSEN and DAVIS desired to be recorded as abstaining from the vote.

**Privilege of the Floor**

On motion of Senator DAVIS with unanimous consent, the Privilege of the Floor was extended to the family of Senator BRYANT for the administration of the Oath of Office.

**Administration of the Oath of Office**

**PRESIDENT *Pro Tempore* of the Senate**

Senator BRYANT presented himself at the Bar and the Oath of Office was administered by Chief Justice Donald Beatty.

The PRESIDENT *Pro Tempore*, Senator BRYANT, addressed the Senate.

**Remarks by Lieutenant Governor Bryant**

Mr. PRESIDENT, members of the Senate, Mr. Chief Justice, family, friends and guests, it’s an honor to stand in front of you today and begin a journey from proudly serving the people of Anderson County to proudly serving all of the citizens  of South Carolina. The coming task is humbling. Congratulations to Ambassador Haley and Governor McMaster.

Mr. PRESIDENT there are some special people here today. My parents, Mr. and Mrs. Cliff Bryant, my in-laws, Mr. and Mrs. Clarence Barinowski, my son Tyler and his charming wife Hannah, my son Ethan, and my lovely wife of over 27 years, Ann -- could you and other friends of ours please stand? Mr. PRESIDENT and members of the Senate please welcome these special guests.

I am honored to assume this new role within the South Carolina Senate. I have served in this Body for over 12 years, and have gained a greater respect for the freedom of speech and the right for free elections. Coming to Columbia in 2005 as a skeptical outsider, my actions still embody my principles from the campaign in 2004. However, without a doubt, I am a better person because of many experiences.

Many people have asked us how we got into politics. Many Christians would make the scriptural argument that politics is worldly and we should not be involved. You can also make the scriptural argument that we are to be salt in this world in whatever capacity we are led. Ann and I had always been fascinated with politics. We struggled, though, with seemingly different Christian principles of involvement in worldly affairs versus being salt to the world. We prayed over our dilemma, and on the day of the Anderson County Republican Party’s Convention in 1997, a friend walked up to the counter in the drug store and said he would make a nomination for chairman that night if I’d be willing to serve. We took that as an answer to our prayer, a dry fleece if you will. That night we had a new chairman of the local party.

Several weeks ago, this same friend came in and asked if we’d considered Lt. Governor. Before that there was no interest. But after seeking advice from family, friends, supporters, and prayer, the interest grew. We’ve spoken to many of you and other Lt. Governors. Do you remember how Lieutenant Governor McConnell would say, “The Senator to my left, Senator from Anderson, for what purpose do you rise?” He answered my call with, “My phone’s on my left ear because I know where this is coming from.”

It’s been an honor to serve you as Chairman of the General Committee and Mrs. Parker and Mrs. McNicholl have made strong contributions to this Body. I’d also like to personally thank the Clerk, Mr. Gossett & Moffitt and associates, Mr. Shealy, Mrs. Catalanotto of Senate Finance, Mrs. Widener of the Labor, Commerce and Industry Committee and all the dedicated staff of the South Carolina Senate.

My transition is not far, just a few steps up, but I would appreciate the chance to say a few words to those who will be former colleagues, but hopefully never former friends.

I’d like to begin with our new members: Senator CLIMER, Senator TALLEY, Senator SENN, Senator TIMMONS, Senator McLEOD, Senator GOLDFINCH, Senator FANNING and Senator RICE -- we’ve had only a few weeks to work together, but it’s been impressive. Always remember that you represent over 100,000 citizens in your district, not anyone in this Chamber, the House Chamber, or the lobby. As Jesus Christ said, “Just as the Son of Man did not come to be served, but to serve.” We are here to serve the people we represent. The one thing that needs to be said is always keep in your mind that you are a South Carolina Senator, and that means two things. It means first that you, as a single member, have the ability to impact not only your district but also our State as a whole. That’s different from our friends across the hall, and it is an awesome responsibility. It also means that you are equal to every other member here. You may select your committees, you may demand full consideration of any piece of legislation, and you may have your voice heard without fear of retribution. Those rights for you as new members will be guarded as fiercely as for the most senior member in this Body.

Senator GAMBRELL, you’ve been a great friend and a great chairman of our delegation. I always will enjoy memory of when the PRESIDENT asked for the Senator from Anderson and you asked, “Are they looking for Kevin?” For a short time, the Anderson County Senate Delegation will only have you, and you will serve our great county well.

Senator M.B. MATTHEWS, I will never forget our pleasant conversation in your office on your first day, and I look forward to many more.

Senator SABB, thank you for helping us get “Hyco’s Law” out of the Senate. You helped me do something very meaningful for Anderson County and all of our law enforcement, and I remain grateful.

Senator KIMPSON, we’ll never forget the time we were at a dinner with Ann. She told me to get whatever cologne you were wearing. This just shows the fiscal conservatism I share with Senator KIMPSON. That stuff’s expensive but it lasts forever and I still get compliments.

Senator YOUNG, thank you for all of your work on DSS, “not leaving a stone unturned.” The agency has seen many reforms without legislation, just because of your determination.

Senator TURNER, thanks again for getting our daughter and me tickets to see “Beauty and the Beast” at the Peace Center. Our little girl is almost 22 and you helped us make a lifetime memory.

Senator SHEALY, Madam Chair of the Seersucker Caucus, I hope I can still be a member even though the suit will be covered in purple. I also am proud to leave the General Committee in such great hands.

Senator McELVEEN, you drove all the way to Anderson to attend a DSS subcommittee in Powdersville. I appreciated the gesture, and it exemplifies what service in this Body is all about.

Senator JOHNSON, you’ve been a great Chairman of the “Kevin Caucus.” Can I still be a member?

Senator HEMBREE, your help over a weekend with a constituent with a legal issue was as much a service to me as the constituent. It always will be remembered.

Senator CORBIN, to the members of the General Assembly, there’s plenty of room in the “We bought Tom Lunch Club.”

Senator BENNETT, your help, especially to me, on the Joint Pension Reform Committee is more valuable than you might know. You are making a difference on the biggest issue we face.

Senator ALLEN, my service with you was highlighted when you told the cosmetologists in one of our hearings, “I went from an afro to a nofro.” I’m still laughing.

Senator GREGORY, enjoyed sharing offices together. You’re like E.F. Hutton, when Senator GREGORY talks, people listen. I know that you will set most of the precedents when demanding to know the meaning of dilatory.

Senator SCOTT, thank you for your willingness to talk things out, put disagreements behind us, and work together. You helped me make the Department of Employment Workforce reform one of my proudest achievements.

Senator NICHOLSON, thank you for your service on the Joint Pension review committee. Your perspective has helped me see the very real effects of this issue.

Senator MARTIN, here’s how we came up with “Senator Slope.” You were chairing a committee considering the effects of Medicaid expansion. Like all engineers, you gave us a visual graph of those effects. Medicaid spending is escalating like this. If the program is expanded, spending will be like this. Thanks for your special friendship and reminding us to honor the statutes.

Senator DAVIS, as much as we appreciate the Supreme Court clarifying the Constitution, I’m disappointed we couldn’t witness you arguing before the Court. What’s better? Seeing Senator DAVIS defend the Constitution before the Supreme Court or filibustering a tax hike? I suspect we’ll find out -- and soon.

Senator MASSEY, congratulations on a great job at Majority Leader. Let me know when we need to knock on doors in the “Valley.” Folks from around Aiken like to tell it like it is. We never have to guess what your thoughts are.

Senator CAMPBELL, congratulations on your Chairmanship of the Ethics Committee. As another engineer, we know you’ll be thorough.

Senator WILLIAMS, we were elected together along with the Senator Lourie and Senator CAMPSEN. Senator, now it’s just you two. Don’t take that as an omen.

Senator CAMPSEN, the Senate can look forward to the Chairman of Fish, Game and Forestry giving detailed explanations to the Senator from Spartanburg. We can be confident we’ll get more education on the Constitution, James Madison, and the Federalist papers. This education will never be ruled “dilatory.”

Senator SHEHEEN, thank you for your commitment to restructuring our antiquated form of government. I’ll ask you later how that compares to restructuring our state pension plan.

Senator CROMER, you are now the only druggist in the Senate. It’ll be up to you to explain the differences between pseudoephedrine and sildenafil.

Senator MALLOY, continue to be a force to be reckoned with. We always will agree that “the truth is better than harmony.” Thanks again for coming to Anderson for our town hall meeting on racial reconciliation.

Senator VERDIN, thank you for your friendship, preaching at our church, coming to Anderson for a Skin’s hotdog and for convincing the Senator from Berkeley that I should be able to join your lunch club on the first day.

Senator GROOMS, I look forward to the next time you bring a phone book to the podium. The definition of dilatory remains a work in progress.

Senator HUTTO, you made my debut on national TV a real pleasure. I look forward to the day of our own show on Fox News.

Senator ALEXANDER, I appreciate your confidence in me as a Labor, Commerce and Industry sub chair. I also appreciate your friendship and guidance during the horrible events in Townville. You truly were, and are, a Senator for all of South Carolina.

Senator RANKIN, we worked together getting you going on your iPhone and iPad skills. I always will be available for advisory opinions on that subject.

Senator JACKSON, Is there any time, any way, any reason, or any day that you’d fathom voting for a tax increase? That day may never come, but you’ll be the first to know, if it does.

Senator REESE, stories from Marcell Ledbetter will never be out of order. And thanks for the Krispy Kreme store down the street from our drug store. We can see the “Hot Now” sign through the window.

Senator J. MATTHEWS, thank you for your help with exceptional needs scholarships, we wrote that amendment on the fly and children of South Carolina have greatly benefited.

Senator COURSON, you’ve got one less member attempting to get your parking spot, and thanks again for fast tracking the Bill to forgive the days missed at Townville Elementary. You made a very difficult moment much easier for many, many people.

Senator PEELER, after telling you, “My Daddy says 40 hours a week is part time,” you said your Daddy told you in Gaffanese, “If you work 12 hours in a day, you’ve only worked ½ a day.” I hope that both of us have lived up to that standard.

Senator LEATHERMAN, after asking Senator LEATHERMAN a personal favor -- there was a long pause -- and his reply was, “Senator Kevin, as much as you get under my skin, I’d be glad to help you.” I often believed that I might have worn out that generosity, but I always received fair treatment from “The Chairman.” I hope to display that same treatment for all.

Senator SETZLER, Mr. “Floor Leader,” thank you for your help in reaching certain goals in amendments even though you could not vote for them. Your leadership in this Body is more valuable than you know.

I want to thank a couple of people no longer serving with us who made tremendous impressions on me -- for the better. Senator Joel Lourie, the “bestest leftist friend forever,” I’ll always be your right wing brother from another mother. Senator Greg Ryberg, helped me grow as a Senator, and provided an example of leadership that I hope I have followed well. Senator Lee Bright, we’ll always appreciate you picking a fight for liberty, usually on a daily basis. To the members of the Senate, why did y’all always come to me like you thought I could talk him off the ledge?

It is now appropriate to say another word about a group of members who, to no benefit of their own, afforded me the opportunity to speak on behalf of my constituents at a moment when I found myself on the other side of the majority opinion.

Senator ALLEN, Senator Bright, Senator DAVIS, Senator HUTTO, Senator MALLOY, Senator MARTIN, Senator J. MATTHEWS, Senator Pinckney, Senator RANKIN, Senator SCOTT, Senator SHEHEEN, Senator VERDIN and Senator WILLIAMS, you all fought for the right to be heard on behalf of the folks in Anderson County. Your support of a member who wanted to speak for his constituents was humbling, thank you, again.

Hopefully, these remarks have not been dilatory, but I wanted to speak to each of you, because each of you have impacted my time here, and all in ways that have benefited my service. We can look forward to continuing our relationships, and it is with great humility that I leave this Body and take on a new role.  You can always call upon our new office when we can be of assistance.

We cannot conclude without speaking of our former colleague and friend, Senator Clementa Pinckney. Many of you know that he once recorded his voice as our Lord for an Easter program at our church. From the Gospel of Matthew, “And the angel answered and said unto the women, Fear not ye: for I know that ye seek Jesus, which was crucified. He is not here: for he is risen, as he said.” Senator Pinckney is not here. He is with our Savior and he is still is in our hearts.

I want to thank the people of Anderson County for the opportunity to serve you for 12 years in the South Carolina Senate. It’s been an honor to promote your liberty and protect your wallet. I want to thank South Carolina for the opportunity to serve you as the next Lt. Governor. Again, you will get the same commitment -- promoting your liberty and protecting your wallet.

Thank you all, and may God continue to bless this Senate. May God continue to bless the great State of South Carolina. Thank you, Mr. PRESIDENT.

On motion of Senator SHEHEEN, with unanimous consent, the remarks of the PRESIDENT *Pro Tempore* were ordered printed in the Journal.

**Inauguration of the Honorable KEVIN L. BRYANT**

**Lieutenant Governor of South Carolina**

Senator BRYANT presented himself at the Bar and the Oath of Office was administered by Chief Justice Donald Beatty.

Senate District 3 was vacated.

**COMMITTEE SELECTION**

In accordance with Rule 19E, the chairmen of the standing committees were updated as follows:

GENERAL COMMITTEE

Shealy, Katrina F., Chairman

**PRESIDENT PRESIDES**

At 1:02 P.M., the PRESIDENT, Lieutenant Governor Kevin L. Bryant, assumed the Chair.

**Election of the PRESIDENT *PRO TEMPORE***

On motion of Senator CAMPBELL, the Senate proceded to the election of the office of PRESIDENT *Pro Tempore*.

The PRESIDENT announced that nominations for the office of PRESIDENT *Pro Tempore* were in order.

**Nomination**

Senator RANKIN was recognized to make nominating remarks and placed the name of Senator LEATHERMAN into nomination for the office of PRESIDENT *Pro Tempore*.

Senator ALEXANDER seconded the nomination.

Senator MASSEY was recognized to make nominating remarks and placed the name of Senator PEELER into nomination for the office of PRESIDENT *Pro Tempore*.

Senator GROOMS seconded the nomination and moved that the nominations be closed and that the Senate procede to a vote.

**Remarks by Senator RANKIN**

Thank you, Mr. PRESIDENT. Ladies and gentlemen of the Senate, we meet today under circumstances that are not only unusual, but are historically unprecedented as well. We all know from the most recent events that we have national attention now, and I daresay international attention, with the ascension of Governor Nikki Haley, who has been chosen and confirmed as the American Ambassador to the United Nations. I'm sure we all congratulate her and wish her Godspeed in her service and that she bear graciously and aptly our State as she conducts her duties. Some have wished her ascension and vote a little quicker speed; as in the lyrics from the song "Someone to watch over me" another line goes "and to put on some speed." If you all were waiting with us last night in the lobby, it was a little more than a gentle lyric being muttered about, “What is taking so long?” Nonetheless, the paper was signed, the Senate had voted and she resigned, elevating our friend the former Lieutenant Governor to become our Governor. Again, we celebrate that as well.

We also know that with the beginning of the 2018 General Election, all nominees for Governor will select their own Lieutenant Governors to run together as a ticket. That changes how we select the Lieutenant Governor; that change was made by the voters of South Carolina. Therefore, the term of the current Lieutenant Governor, Lieutenant Governor Bryant who has just been elevated to the post, will expire in less than two years, never to be independently elected again.

With that unique set of facts in mind, let's also remember how we got to where we are today, that last year in December Senator LEATHERMAN publicly announced that he would not serve as Lieutenant Governor, making no mistake about what his intentions were at that point. As a courtesy and in the interest of full transparency, he made that announcement before we elected him as our PRESIDENT *Pro Tempore*. Make no mistake, nothing was hidden. Everyone knew what his intentions were at that time. No surprises. We knew that when we picked him as our PRESIDENT *Pro Tempore*, he would not serve as Lieutenant Governor. Again, we knew why. Why? Why did he do as others have done before him that is not unprecedented in this State? We all have recently finished an election cycle that placed him in the public view and the decision of the folks who would re-elect him to serve -- and they had enough votes to do it. His pledge was to those folks who elected him to remain as their Senator, not our PRESIDENT *Pro Tempore*. As their Senator, he would remain in a position of power, influence, and ability to do what? To do for them as each of your constituents have asked you to do. To look out for and to represent them as the Constitution requires and as the good Lord requires. Our seniority system, which we recently reaffirmed, not only allows this, but encourages this. That the seniority that he had achieved prior to our rules adoption would allow him to continue to do what? Serve as Chairman of the Finance Committee.

Some have taken issue with that, that that is too much power and that too much power should not rest in the hands of one. So now there is some criticism, which he knew he would get -- and many of you have heard. Some outside groups are “robo” calling now, and I am getting notes from folks I don't know, but bearing names of interest groups that I've never seen lobby for a position like this. They take him to task for that. It took courage for him to not only resign then, but now to again resign, allowing the baton to be passed to someone who wants the position, as again Lieutenant Governor Bryant did. But also you realize that the decision is not a compulsory decision to do as Senator BRYANT did, it is a voluntary right. And so you've heard -- there is an attorney who has written an opinion. You all had this -- former Fourth Circuit Court Chief of Appeals asked by our Senate Clerk to weigh in on the question. What does the law require in this instance? Do you have to naturally ascend to the position? No. We all know that you don't. Neither statute, nor Constitution, nor rule of the Senate requires you to seek the office, and nothing prohibits you from resigning to avoid taking the Lieutenant Governor's position. Nothing in the rule of law, statute, Constitution or rule of the Senate prohibits you from seeking that election yourself.

So we had that election, and we heard great remarks made on behalf of Senator LEATHERMAN as to why we should not change it back and the requirements and the talents that are required. Three “P’s” caught my attention: present, prepared, and patient. So Senator LEATHERMAN’s name was placed in nomination and we re-elected him, again with full disclosure, knowing full well that once this bridge was come to, it therefore would have to be crossed, that he would not take the position and relinquish the PRESIDENT *Pro Tempore* role. Some say courage, as I mentioned before. I daresay the folks of Florence County in the Pee Dee would call that honorable and principled, to do for them what he asked them to do for him: to re-elect him and continue him in the position of Finance Committee Chairman.

There are a number of us, and I daresay there will be a majority of us, who support and recognize the service that Senator LEATHERMAN has made. The public service, the selflessness to give of his time, to lead this State, to do for us what has been so well accomplished, though with scraps and scrapes and battles with others, to bring this State the recognition that it has so greatly achieved in economic development. Y'all heard me say last time when I spoke from the well in his support in making that nomination, not words that are my opinion, but words from those in the industry who would tell you that the former Governor, two removed, Governor Sanford, was involved with bringing Boeing here. But Boeing is not here because of former Governor Sanford. Boeing is here because of the negotiation skills, the presence, the preparedness, and the patience of Senator HUGH LEATHERMAN. Those aren't my words. That's Boeing who tells you that.

And that's some time back, some would say, “Well, that's history. Let's talk about current days.” I dare say that Bobby Hitt would say the same today of his stewardship of this Senate and his stewardship of this State in terms of making things happen, not just for one part of the State but the entire State. The entire State who benefits from an unemployment rate that is as low as we've ever heard, that then Governor Haley, former Governor Haley, announced last night. That's not a mistake folks. That's not an accident. So our “quarterback” has worked well. Now again, I don't -- and I hope the majority of you don't either -- want to see this career ended, to ascend to a position that would not allow the folks of his area, and the trust that they have placed in him, to be honored. Because of these unprecedented developments, a technicality on the implementation of the day when the Governor could start selecting his second in command, and the machinations we have seen -- some would dare say the windmills that we've tilted at -- and that the Supreme Court has clearly said, as a fact, the process is in place. The process works: a natural succession, that we have seen today, has occurred and will occur.

I am proud -- I am honored to have been asked and willingly accepted, not telling you what you've never heard before and you don't know, but to mirror and to honor the words that we just heard from our now Lieutenant Governor. Senator LEATHERMAN, if anything, is a fair man. The Senate and this State has prospered by his leadership and his role as PRESIDENT *Pro Tempore*. Therefore, I move that his name be placed in nomination.

**Remarks by Senator MASSEY**

Thank you, Mr. PRESIDENT. Before I get started, I have to say that Clemson purple looks really good on you. Mr. PRESIDENT, I rise today for a couple of reasons. First and foremost, I’m honored to nominate Senator HARVEY PEELER for the office of PRESIDENT *Pro Tempore*. Thank you for asking me, Senator. I appreciate that honor. I appreciate even more the fact that you stepped up in a circumstance where most of us understand what the outcome will be. You've earned the opportunity to be considered for PRESIDENT *Pro Tempore* and I appreciate you doing that. Second, I want to share with you some sincere concerns I have about what I expect is about to happen. When the Senate elected a new PRESIDENT *Pro Tempore* in June 2014, I expressed concerns then about the consolidation of power in one person who is elected by 1/46th of the State. I’m not going to rehash that speech. But I still have those concerns. In fact, not only have those concerns not been alleviated, I think they've become more apparent and troubling. To put that into focus, I think Senator LEATHERMAN actually articulates that problem much better than I can -- with this fundraising invitation. Take a look at that for a second. I couldn't have said any better myself what the real problem is. Senator PEELER recognizes this problem. Let's be honest. Nearly everyone in this Chamber recognizes the problem. Senator PEELER, though, has pledged that he would ensure a more proper distribution of power. I’m just going to leave it at that. Now, I really didn't come up here today to pick a fight with Senator LEATHERMAN. I didn't. I want to be clear about this. My goal here today is not to criticize Senator LEATHERMAN. That's not at all my intention. Because this really isn't about Senator LEATHERMAN. For that matter, it is really not about Senator PEELER. This is about all of the rest of us. This is about us. It is about the Senate in which we're all privileged to serve. Ladies and gentlemen, I believe rules matter. Most of our work here is to set out rules for civilized society in South Carolina. We establish rules for how men and women interact with each other. We make rules for the protection of our environment. We create rules to ensure our children are educated. We impose consequences for violations of those rules. Sometimes those consequences are criminal. Sometimes they are civil. Sometimes they are miniscule. But the statement we make by setting those rules says who we are and what we believe. The rules matter. The rules for what we're dealing with today are really very clear. The PRESIDENT *Pro Tempore* is a constitutional office. Article 4 Section 9 of the Constitution requires the Senate to choose a PRESIDENT *Pro Tempore*, and then it says why, “The Senate shall as soon as practicable after the convening of the General Assembly choose a PRESIDENT *Pro Tempore* to act in the absence of the Lieutenant Governor. A member of the Senate acting as Lieutenant Governor shall thereupon vacate his seat and another person shall be elected in his stead.”

That is the PRESIDENT *Pro Tempore*'s only constitutional job. To act in the absence of the Lieutenant Governor. That's his only constitutional job. It is the only one. So what does it mean when the person who occupies that office stands before us with his right hand raised, his left hand often on the Bible, and swears to exercise the duty of the office to which he has been elected and that he will, to the best of his ability, discharging the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States so help him God? The constitution gives the PRESIDENT *Pro Tempore* one job. When he swears to exercise the duties of the office of PRESIDENT *Pro Tempore*, when he swears he will discharge the duties of that office, when he swears that he will preserve, protect, and defend the constitution of this State, does he not swear while invoking God's guidance to perform the one job that the Constitution of the State gives him?

Now I understand the significant differences between the offices of PRESIDENT *Pro Tempore* and Lieutenant Governor. We all do. And frankly, I understand a PRESIDENT *Pro Tempore* not wanting to vacate his Senate seat and become Lieutenant Governor. PRESIDENT *Pro Tempore* is arguably the most powerful position in South Carolina state government. The Lieutenant Governor is arguably the least powerful. I understand not wanting to do that. But if you took the oath, you ought to do it. Why would we, the rest of us who are called Senator, sanction efforts to disregard that constitutional obligation? Senator PEELER has pledged he will fulfill the duty if it comes. Senator PEELER has pledged to honor his oath. If you don't want to do the one job the Constitution gives you, though, there is a way out. You can resign. And that's the argument that we've heard today. That we're not really violating the Constitution with this shameless and obvious game of musical chairs. That we're not technically breaking the rules. In fact, we have a legal opinion to that effect. As Senator RANKIN just referenced and the Senator's resignation letter from about an hour ago referenced, his attorney has advised us this is a proper course. The problem, of course, is that the Constitution gives the PRESIDENT *Pro Tempore* just one job ‑‑ to act in the absence of the Lieutenant Governor. Which is why when he vacated his Senate seat and accepted that one job the Constitution required of him, former PRESIDENT *Pro Tempore* Glen McConnell said, and I quote, "I will not contort the words of both Constitution and my oath of office in order to keep a position that I might personally prefer; nor should we ever allow that in the future” -- nor should we ever allow that in the future. Senator PEELER has stepped up today in an effort to not allow that now. Everyone in here, all of us who are honored to have the title "Senator” -- all 45 of us -- we know this is wrong. Every one of us knows that we violate the spirit and the intent of the Constitution by sanctioning this conduct. Everybody knows that. That same Constitution that all 45 of us asked God's help in our efforts to preserve, protect, and defend.

Folks, I believe the rules matter. I believe that you believe that, too. Why with your votes today would you say otherwise? I believe our examples matter. Now, I’m fairly confident that most South Carolinians couldn't tell who you the PRESIDENT *Pro Tempore* is. I’m even more confident that most of them don't care. Unless you really pay attention to state government, you probably don't understand just what power and influence the PRESIDENT *Pro Tempore* has. But you know what people do understand? I am absolutely confident that people understand politicians not playing by the rules. They understand when other politicians cover for their friends who don't play by the rules. Now we've seen that some in the past 16-17 hours with the emails and phone calls many of us have received. I would argue that was one of the most significant issues of the recent presidential election. Folks, the public already thinks we don't play by the rules. You ask the lady walking down the street right now if she thinks politicians follow the rules? What's she going to tell you? Better yet, when you go home, ask folks what they think will happen if they don't follow the rules. Then ask them if they believe there will be consequences when they don't follow the rules. And, then, ask them what they think about a politician who disregards the rules. Do they think he or she will face the same consequences? We don't need to ask those questions, do we? We already know the answers. Some of us have heard from a small and determined number of South Carolinians last night and this morning. I appreciate their input. Unfortunately though, we're not going to see a lot of public outrage about this. There's not going to be a march on the State House. There won't be widespread anger. But that's not because people don't care. It is because in large part, sadly, they expect us to do this. Too many people expect that given the choice between doing the right thing and doing the wrong thing, the politicians will do the wrong thing. As former Senator McConnell said just before he accepted his constitutional obligation, “…for the people of South Carolina who hear these words today or read them in the future, I want them to know that what I do today should not be considered remarkable. If what I’m doing is considered special, then it is a sad indictment of the public's view of elected officials and our commitment to what is right.” Sad indictment indeed. If you care at all about that, if you care what people think -- that they think that all elected officials are dishonest and corrupt -- if you care about the integrity of this Body -- even if you just care about your own integrity -- why in the world would you vote today to confirm their suspicions?

Again, this isn't about Senator LEATHERMAN or really even Senator PEELER. This is about the Senators who are going to allow this to happen. A majority of this Senate says it is important that people follow the rules and follow the law -- unless, of course, it prevents you from doing what you really want to do. Then it is okay not to follow the rules. Well, as long as you're an elected official, right? It is a heck of an example for us to set. It is a terrible example. This is a terrible example to set for the college students who are in here today, watching us right now, working in our offices, to our pages and law clerks, to our students in the balcony, and to everyone watching. The rules matter! It is not okay to disregard the rules just because they're inconvenient. Our example matters. I encourage you to support Senator PEELER because he believes these rules matter.

Now during my remarks, I quoted a few comments from McConnell’s speech. I agree with his statement; but, I also think those statements are relevant to the situation we have before us today. Also because I know everyone who served with him listened when he talked about the Constitution. We respected his positions and valued his input on constitutional questions. So much so that some of us still ask his advice. In that speech, Senator McConnell reminded those listening of the constitutional standards he championed during his Senate career. Then he said this, “When I walked in the Senate thirty-one and a half years ago, I saw in that chair that I occupy today, Marion Gressette, Chairman of the Senate Judiciary Committee. He became an inspiration to me about the importance of this institution as a Body where detail and fairness were the norm for operation. I was one of only five Republicans that year, and yet I was welcomed as an active participant in the process of legislation. His character and values became my goal as a legislator.” Thank you, Mr. PRESIDENT. We, too, have a duty. We too, have oaths to uphold. Ladies and gentlemen of the Senate, let's do the right thing.

Mr. PRESIDENT, I nominate the Senator PEELER, HARVEY PEELER, for PRESIDENT *Pro Tempore*.

On motion of Senator GROOMS, with unanimous consent, the remarks of Senators RANKIN and MASSEY were ordered printed in the Journal.

The question then was the election of the PRESIDENT *Pro Tempore.*

The following named Senators voted for Senator LEATHERMAN:

Alexander Allen Campbell

Courson Cromer Fanning

Gambrell Goldfinch Hutto

Jackson Johnson Kimpson

Leatherman Malloy Martin

*Matthews, John Matthews, Margie* McElveen

McLeod Nicholson Rankin

Reese Sabb Scott

Senn Setzler Sheheen

Williams

**Total--28**

The following named Senators voted for Senator PEELER:

Bennett Campsen Climer

Corbin Davis Grooms

Hembree Massey Peeler

Rice Shealy Talley

Timmons Turner Verdin

Young

**Total--16**

The following named Senator abstained:

Gregory

**Total--1**

Whereupon, the PRESIDENT announced that Senator LEATHERMAN was elected to the office of PRESIDENT *Pro Tempore*.

**Administration of Oath of Office**

Senator LEATHERMAN presented himself at the Bar and the Oath of Office was administered by the PRESIDENT.

The PRESIDENT *Pro Tempore* addressed the Senate.

**Remarks by Senator LEATHERMAN**

My remarks will be very brief. It’s been a trying couple of days for us, but I appreciate each and every one of you that voted for me again -- I think the third time -- as PRESIDENT *Pro Tempore* of the South Carolina Senate and those who voted for Senator PEELER. I understand that you had your reasons for doing that and I’ll leave that to you but I certainly look forward to continuing service as PRESIDENT *Pro Tempore*. I will do it with honor, integrity and fairness to all. I think those who have watched me as PRESIDENT *Pro Tempore* understand the fairness of me. I don’t lean to one party or the other party, one side of the Chamber or the other side of the Chamber. That’s not the duty of the PRESIDENT *Pro Tempore* of the South Carolina Senate. The PRESIDENT *Pro Tempore* of the South Carolina Senate is to be fair to all parties -- make sure they are heard -- and I certainly look forward to that.

Let me go to another subject very briefly. Last time I was elected PRESIDENT *Pro Tempore*, I said we need to start working on the decorum in this Body. We started working on that, you helped me, you helped your fellow Senators get to more of a decorum than what we had. I applaud the Senate for what you’ve done. I pledge to you that I will try to lead us down that road that we have decorum in this Body so that people can understand what we are doing here in the Senate and see that we are doing their business. That is my primary goal -- to make sure that this Senate does the business of the people and not get to where we’re so crossed up with each other that we cannot do the business of the Senate of South Carolina. So again, to those that voted for me, thank you, and to those that voted for Senator PEELER, I understand you have your reasons and I look forward to continuing to lead this Senate in a way that I believe will serve the people of South Carolina. Thank you, Mr. PRESIDENT.

**Statement by Senators DAVIS and CAMPSEN**

We abstained from today’s vote in the Senate electing Senator KEVIN BRYANT to the office of Senate PRESIDENT *Pro Tempore*, a vote ‑- given the vacancy that then existed in the office of Lieutenant Governor and the provisions of Article IV, Section 9 of the South Carolina Constitution -- subsequently resulted in Senator BRYANT’s immediate ascension to fill that vacant office.

Our abstention is not in any way a comment on the ability of Senator BRYANT to discharge the duties of Senate PRESIDENT *Pro Tempore* or Lieutenant Governor, as we believe without reservation he is eminently qualified to discharge the duties of both offices; rather, it is intended to make clear our unwillingness to participate in an arranged procedure that allows the immediately previous Senate PRESIDENT *Pro Tempore*, Senator HUGH K. LEATHERMAN, SR., to enjoy the powers and rights inherent in that office, yet avoid the discharge of the essential constitutional duty that goes along with enjoying those rights and powers.

As to the proper course of action that ought to be followed in such circumstances, we cannot improve upon the words that were delivered to Members of the Senate by then -- Senate PRESIDENT *Pro Tempore* Glenn F. McConnell when he was presented, as Senator HUGH LEATHERMAN was today, with the prospect of discharging the essential constitutional duty of the *Pro Tempore* and ascending to fill the vacancy in the office of the Lieutenant Governor. A transcription of a pertinent portion of his remarks at that time is printed below:

“[I have] Been very insistent about the strict construction of the Constitution and the need for this Senate to test each law for its constitutionality before it moves forward.  I have warned about the pitfalls of the unconstitutional act of piggy backing non-germane and totally different subjects on a Bill because of time running out.  Our Constitution is very clear on that matter, and bobtailing is a practice which any future PRESIDENT *Pro Tempore* will need to be on the lookout for.”

“The standard that I have applied to other things is now what I must apply to myself.  You see, I have been doing for the people of Senate District 41 in this State, what I always wanted to do.  Giving it up is indeed a sad moment for me.”

“That is why I stand here today somber and a little saddened because of what I will lose today when I take the oath of office as Lieutenant Governor.  But for the people of South Carolina, who hear these words today or read them in the future, I want them to know that what I do today should not be considered remarkable.  If what I am doing is considered special, then it is a sad indictment of the public’s view of elected officials and our commitment to what is right.”

“Today we remind the public that oaths of office matter and people should and can expect that whoever takes the oath office as PRESIDENT *Pro Tempore* will do as they swore to do and fulfill the constitutional duty of becoming Lieutenant Governor, if there is a permanent vacancy in that office.”

“Today I simply perform the duty I swore to do when I took the oath of office as PRESIDENT *Pro Tempore*.”

Stated plainly, the actions taken by the members of the South Carolina Senate today, in regard to filling the vacancy in the office of Lieutenant Governor occasioned by former Lieutenant Governor Henry McMaster’s ascension to the office of Governor, failed to live up to the constitutional standard articulated by Glenn McConnell, and our abstention registers our opinion in that regard.

**Statement by Senator TIMMONS**

First, let me thank you Mr. PRESIDENT. I want everyone to understand that I have the utmost respect for all the members who now serve here. However, I believe that this Chamber, the South Carolina State Senate, is failing the people of this State today. Not one person listening on television on ETV or who happens to be here in the audience will disagree with the notion that Columbia is broken.

I ran for the Senate on that issue and we defeated a 37 year incumbent by a 2 to 1 margin. It is the one issue that almost all voters in this State can agree on. You see, many of our constituents have felt disconnected from our state government for quite some time. As a businessman, I have felt that way for as long as I have been in business. That is what prompted me to run for office in the first place. I know there are others who sit in this Chamber who can agree -- Columbia is broken. Like me, many of the freshmen Senators campaigned to reform Columbia, to reform the Senate, to uphold the Constitution and ultimately to help fix the State of South Carolina. And yet, just over two weeks into this session, we find ourselves doing the same things that have always been done here. That is a sad state of affairs and, frankly, it is no longer acceptable. I believe our state government has lost its way. I believe this Senate has lost its way. We stand here and discuss reform and transparency and yet we continue to do the exact opposite.

Our roads and bridges are in desperate need of repair. We have stuck our heads in the sand with a dysfunctional Department of Transportation and yet we refuse to enact real reforms to ensure accountability. Our system of taxation is unfair and puts far too much burden on small family businesses and yet real, serious tax reform continually gets overlooked or stays stuck in committee. We have been ordered by the South Carolina Supreme Court to reform the way we fund our schools and educate our children and yet for two years we have ignored that order.

Today, we find ourselves once again playing musical chairs with the State Constitution by voting to give back the full power of the position of Senate PRESIDENT *Pro Tempore* to the same Senator that also happens to run the Senate Finance Committee. The same Senator who just resigned from that position to avoid fulfilling his constitutional duty to rise to the position of Lieutenant Governor.

I do not care how things have been done in the past -- that is too much power for any one person to hold and quite frankly it is just not right. Again, I want everyone to know, this is not personal. I have the utmost respect for Senator LEATHERMAN. But when we entrust so much of the power of this Body into just one Senator -- we shortchange South Carolina and deprive every other Senator’s constituents of truly equal representation. The people of this State deserve better. When we give too much power to just one Senator it is unwise, unnecessary and unjust.

Columbia is broken. But how can we fix it?

I campaigned for term limits. I believe the founding fathers intended we maintain a citizen run legislature. I have pledged to serve no more than three terms here in the Senate. Your vote for the position of Senate PRESIDENT *Pro Tempore* should not be made out of fear. When I have privately asked fellow members where they stand, some have indicated to me that if they vote for someone else, they might lose funding for a key project in their district. Our crumbling roads and bridges provide the perfect metaphor for South Carolina state government today. We must first begin to address the foundational problems if we can ever hope to finally fix all the other problems that so adversely affect our State. Ladies and gentleman of the Senate, I believe Columbia is broken, but today, we can make a bold statement that the collective interests of the entire State are always bigger than interests of one Senate district. It is January 25th in the year 2017 and I am here to tell you the people in my district want us all to try something new. Let us all have the courage to do just that. Thank you.

**Statement by Senator GREGORY**

I abstained from voting in the election of the PRESIDENT *Pro Tempore* because I did not support Senator LEATHERMAN stepping down from the position only to stand for it again. In addition, while I am fond of Senator PEELER and appreciate his leadership of the Senate Republican Caucus, I feel that the office of Senate PRESIDENT *Pro Tempore* has traditionally been a non-partisan one, and that it would be difficult for a former Majority Leader to carry its duties out in that manner.

**Statement by Senator TALLEY**

Today, the South Carolina Senate had the opportunity to show the people of our State that we are willing to take steps to reform state government and begin to restore accountability to our actions in Columbia.  While I certainly respect Senator LEATHERMAN for his years of dedicated service to our State, in order for people to trust the work we do in the Senate, we cannot concentrate so much power in one legislative leader.  I am hopeful in the years to come we can take steps to change our Senate Rules to reflect the reform and accountability measures the citizens of South Carolina have demanded and deserve.

**Doctor of the Day**

Senator McELVEEN introduced Dr. Gary Culbertson of Sumter, S.C., Doctor of the Day.

**CO-SPONSORS ADDED**

The following co-sponsors were added to the respective Bills:

S. 44 Sen. Reese

S. 86 Sen. Rice

S. 219 Sen. Hutto

S. 301 Sen. Rice

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 305 -- Senator Grooms: A SENATE RESOLUTION TO HONOR AND RECOGNIZE DEPUTY KIMBER GIST, OF THE BERKELEY COUNTY SHERRIFF'S OFFICE, WHO WAS SHOT IN THE LINE OF DUTY IN FEBRUARY OF 2016.

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The Senate Resolution was adopted.

S. 306 -- Senator Cromer: A SENATE RESOLUTION TO CELEBRATE AND COMMEND PITCHER CARL EDWARDS, JR., OF NEWBERRY COUNTY ON THE INSTRUMENTAL ROLE HE PLAYED IN HELPING THE CHICAGO CUBS WIN THE 2016 MAJOR LEAGUE BASEBALL WORLD SERIES.

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The Senate Resolution was adopted.

S. 307 -- Senator Shealy: A BILL TO AMEND SECTION 38-71-280(A)(1) OF THE 1976 CODE, RELATING TO ACCIDENT AND HEALTH INSURANCE, AUTISM SPECTRUM DISORDER COVERAGE, AND ELIGIBILITY FOR BENEFITS, TO PROVIDE THAT AUTISM SPECTRUM DISORDER MEANS ANY OF THE PERVASIVE DEVELOPMENTAL DISORDERS OR AUTISM SPECTRUM DISORDERS AS DEFINED BY THE MOST RECENT EDITION OF THE DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS OR THE EDITION IN EFFECT AT THE TIME OF DIAGNOSIS.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 308 -- Senators Talley and Rice: A BILL TO AMEND SECTION 56-5-2946(A) OF THE 1976 CODE, RELATING TO SUBMISSION TO TESTING FOR DRUGS AND ALCOHOL, TO PROVIDE THAT, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON MUST SUBMIT TO CHEMICAL TESTS OF HIS BREATH, BLOOD, OR URINE FOR THE PURPOSE OF DETERMINING THE PRESENCE OF ALCOHOL, DRUGS, OR A COMBINATION OF BOTH IF THERE IS PROBABLE CAUSE TO BELIEVE THAT THE PERSON VIOLATED OR IS UNDER ARREST FOR A VIOLATION OF SECTION 56-5-2945 OR IF A PERSON WAS KILLED OR REASONABLY BELIEVED TO HAVE BEEN KILLED AS A RESULT OF AN ACCIDENT INVOLVING A MOTOR VEHICLE.

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

S. 309 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY ADDING SECTION 16 SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY BY LAW, IN SPECIFIED AREAS OF THE STATE, MAY PROVIDE FOR THE CONDUCT OF GAMBLING AND GAMING ACTIVITIES ON WHICH BETS ARE MADE TO INCLUDE PARI-MUTUEL BETTING ON HORSE RACING, SPORTS BETTING ON PROFESSIONAL SPORTS, CASINO ACTIVITIES, SUCH AS CARD AND DICE GAMES WHERE THE SKILL OF THE PLAYER IS INVOLVED IN THE OUTCOME, AND GAMES OF CHANCE WITH THE USE OF ELECTRONIC DEVICES OR GAMING TABLES, ALL OF WHICH MUST BE STRICTLY REGULATED AND MAY BE CONDUCTED IN ONE LOCATION OR IN SEPARATE LOCATIONS WITHIN THE SPECIFIED AREA SUBJECT TO SPECIAL LAWS, INCLUDING CRIMINAL LAWS, ENACTED BY THE GENERAL ASSEMBLY, APPLICABLE ONLY IN THE SPECIFIED AREA, WITH THE REVENUE REALIZED BY THE STATE TO BE ALLOCATED TO THE STATE'S RETIREMENT SYSTEMS IN ORDER TO ACHIEVE AND MAINTAIN A RATIO OF THE ACTUARIAL VALUE OF THE SYSTEMS ASSETS TO THE ACTUARIAL ACCRUED LIABILITY OF THE SYSTEMS THAT IS EQUAL TO OR GREATER THAN NINETY PERCENT, TO PROVIDE THAT ANY REVENUE REALIZED ABOVE THE AMOUNT NECESSARY TO ACHIEVE AND MAINTAIN THAT RATIO SHALL BE DEPOSITED IN THE STATE'S GENERAL FUND; AND BY PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY DELETING SECTION 8 WHICH MAKES IT UNLAWFUL FOR A PERSON HOLDING AN OFFICE OF HONOR, TRUST, OR PROFIT TO ENGAGE IN GAMBLING OR BETTING ON GAMES OF CHANCE, AND REQUIRES THE OFFICER'S REMOVAL FROM OFFICE UPON CONVICTION, FOR A GAMBLING OFFENSE.

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

S. 310 -- Senator Sheheen: A BILL TO PERMIT THE TOWN OF CAMDEN TO ANNEX CERTAIN REAL PROPERTY BY ORDINANCE UPON FINDING THAT THE PROPERTY IS BLIGHTED.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 311 -- Senator Shealy: A SENATE RESOLUTION TO DECLARE FEBRUARY 26 THROUGH MARCH 4, 2017, AS "EATING DISORDERS AWARENESS WEEK" IN THE STATE OF SOUTH CAROLINA TO COINCIDE WITH NATIONAL EATING DISORDERS AWARENESS WEEK AND TO DECLARE THURSDAY, MARCH 2, 2017, AS "EATING DISORDERS AWARENESS DAY" IN SOUTH CAROLINA.

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

S. 312 -- Senators Hembree and Corbin: A SENATE RESOLUTION TO DESIGNATE THE WEEK OF JANUARY 22 THROUGH JANUARY 28, 2017, AS "NATIONAL SCHOOL CHOICE WEEK IN SOUTH CAROLINA" AND TO CONGRATULATE STUDENTS, PARENTS, TEACHERS, AND SCHOOL LEADERS FROM K-12 EDUCATIONAL ENVIRONMENTS OF ALL VARIETIES FOR THEIR PERSISTENCE, ACHIEVEMENTS, DEDICATION, AND CONTRIBUTIONS TO THEIR COMMUNITIES IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 313 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-1-190 SO AS TO ALLOW A COUNTY TO ESTABLISH A WINDSTORM PROTECTION AND HOMEOWNERS INSURANCE PROGRAM TO ASSIST A HOMEOWNER WITH THE FINANCIAL COSTS OF QUALIFIED WIND RESISTANCE IMPROVEMENTS, TO ESTABLISH OPTIONS FOR FINANCING, TO PROVIDE FOR CERTAIN DETERMINATIONS THAT MUST BE MADE, TO REQUIRE CERTAIN NOTICE, TO PROVIDE THAT A LIEN FILED PURSUANT TO THIS SECTION IS CONSIDERED TO BE AN AD VALOREM TAX, TO PROVIDE FOR CERTAIN RESTRICTIONS TO AN INCREASE IN PROPERTY TAXES; AND TO ALLOW A LOCAL GOVERNMENT TO IMPOSE CERTAIN FEES.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

**REPORTS OF STANDING COMMITTEES**

Senator HUTTO from the Committee on Judiciary submitted a favorable with amendment report on:

S. 168 -- Senator Shealy: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100 OF THE 1976 CODE, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 198 -- Senators Shealy, Alexander, McElveen and Bryant: A BILL TO AMEND SECTION 56‑1‑100 OF THE 1976 CODE, RELATING TO DRIVERS’ LICENSES, TO PROVIDE THAT A MINOR MAY APPLY FOR A BEGINNER’S PERMIT, INSTRUCTION PERMIT, OR DRIVER’S LICENSE UNDER THE AUTHORIZATION OF A RESPONSIBLE ADULT WILLING TO ASSUME THE OBLIGATION IMPOSED.

Ordered for consideration tomorrow.

Senator HUTTO from the Committee on Judiciary submitted a favorable with amendment report on:

S. 220 -- Senators Shealy and McElveen: A BILL TO AMEND SECTION 63-7-920(C) OF THE 1976 CODE, RELATING TO INTERVIEWS CONDUCTED DURING AN INVESTIGATION OF CHILD ABUSE ALLEGATIONS, TO PROVIDE THAT HEARING IMPAIRED CHILDREN SHALL BE INTERVIEWED USING A SIGN LANGUAGE INTERPRETER NOT RELATED TO THE CHILD, TO ALLOW FOR REMOTE VIDEO INTERPRETATION, AND TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO MAINTAIN A DATABASE OF QUALIFIED INTERPRETERS; AND TO AMEND CHAPTER 25, TITLE 16, RELATING TO CRIMINAL DOMESTIC VIOLENCE, TO PROVIDE THAT INTERVIEWS CONDUCTED DURING AN INVESTIGATION OF CRIMINAL DOMESTIC VIOLENCE IN WHICH A HEARING IMPAIRED CHILD MAY HAVE BEEN INVOLVED OR WITNESSED THE ACT OF DOMESTIC VIOLENCE MUST BE CONDUCTED WITH THE USE OF A SIGN LANGUAGE INTERPRETER NOT RELATED TO THE CHILD.

Ordered for consideration tomorrow.

Senator HUTTO from the Committee on Judiciary submitted a favorable with amendment report on:

S. 245 -- Senators Hutto and Hembree: A BILL TO AMEND SECTION 44‑53‑370, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DRUG OFFENSES, SO AS TO CONFORM THE LANGUAGE OF TRAFFICKING IN ILLEGAL DRUGS PROVISIONS, INCLUDING OPIATES AND HEROIN, TO THE LANGUAGE OF THE PROVISIONS CONCERNING POSSESSION AND DISTRIBUTION OF CERTAIN ILLEGAL DRUGS WHICH WOULD INCLUDE SYNTHETIC OPIATES, AMONG OTHER DRUGS.

Ordered for consideration tomorrow.

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senators SETZLER, COURSON, ALEXANDER, ALLEN, BENNETT, CAMPBELL, CAMPSEN, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GOLDFINCH, GREGORY, GROOMS, HEMBREE, HUTTO, JACKSON, JOHNSON, KIMPSON, LEATHERMAN, MALLOY, MARTIN, MASSEY, JOHN MATTHEWS, MARGIE BRIGHT MATTHEWS, McELVEEN, McLEOD, NICHOLSON, PEELER, RANKIN, REESE, RICE, SABB, SCOTT, SENN, SHEALY, SHEHEEN, TALLEY, TIMMONS, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect and in honor of the Honorable Henry Dargan McMaster of Columbia, S.C. as he assumes the office of Governor of South Carolina. Governor McMaster became the 91st Lt. Governor on November 4, 2014. McMaster received his AB degree in history in 1969 from the University of South Carolina and his Juris Doctor degree in 1973 from the University of South Carolina School of Law, where he served on the Law Review.  He entered private practice in Columbia in 1974 with Tompkins and McMaster. Governor McMaster also previously served South Carolina as Attorney General from 2003-2011. He served on the South Carolina Commission on Higher Education and chaired the South Carolina Republican Party from 1993-2002. Governor McMaster is married to Peggy McMaster, and they have two children, Henry D. McMaster, Jr. and Mary Rogers McMaster. The South Carolina Senate wishes him well as he becomes the 117th Governor of South Carolina.

**ADJOURNMENT**

At 2:02 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

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