Friday, May 21, 2010

(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

 The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator JACKSON.

THIRD READING BILLS

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

 S. 1021 -- Senator Massey: A BILL TO AMEND ACT 476 OF 1969, AS AMENDED, RELATING TO THE VALLEY PUBLIC SERVICE AUTHORITY IN AIKEN COUNTY, SO AS TO ADD TWO MEMBERS TO THE GOVERNING BOARD OF THE AUTHORITY AND TO PROVIDE FOR THEIR TERMS AND MANNER OF APPOINTMENT.

 By prior motion of Senator MASSEY

 S. 1463 -- Senator Leventis: A BILL TO AMEND ACT 387 OF 2008, AS AMENDED, RELATING TO THE CONSOLIDATION OF SUMTER SCHOOL DISTRICTS 2 AND 17, SO AS TO EXTEND THE TERM OF OFFICE FOR MEMBERS THAT ARE SET TO EXPIRE IN 2010.

 By prior motion of Senator LEVENTIS

**REPORT RECEIVED**

**Findings of Fact**

Memorandum To: Clerk of the House

 Clerk of the Senate

Re: Committee Hearings - May 13, 2010

 The Committee to Screen Candidates for Boards of Trustees of State Colleges and Universities finds the following candidates for Boards of Trustees qualified. Background reports from the State Law Enforcement Division show no felony charges against any of the candidates.

**University of South Carolina**

 11th Circuit Mr. Brad Covar

 Mr. Bill Dukes

 Mr. Hugh Rogers

 Mr. Thad Westbrook

Respectfully submitted,

Senator Jake Knotts, Chairman Rep. Joan Brady, Vice-Chairman

Senator Thomas Alexander Rep. Lanny F. Littlejohn

Senator Harvey Peeler, Jr. Rep. David Mack

Senator Yancey McGill Rep. Bill Whitmire

COMMITTEE TO SCREEN CANDIDATES

FOR BOARDS OF TRUSTEES

OF STATE COLLEGES AND UNIVERSITIES

Thursday, May 13, 2010

9:00 a.m. - 9:54 a.m.

The meeting was conducted on May 13, 2010 at 433 Blatt Building, Columbia, South Carolina, before Lisa F. Huffman, Court Reporter and Notary Public in and for the State of South Carolina.

APPEARANCES:

Senator Jake Knotts, Chairman

Representative Joan Brady, Vice Chairman

Senator Thomas Alexander

Senator Harvey Peeler, Jr.

Senator Yancey McGill

Representative Lanny Littlejohn

Representative David Mack

Representative Bill Whitmire

Also Present: Sophia Derrick

Thursday, May 13, 2010

CHAIRMAN KNOTTS: Thank you. Good morning everybody. I'm going to call this screening committee together for boards and commission. And starting with my left and let everybody introduce themselves.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. I'm Bill Whitmire and I am a representative from Oconee County District 1.

REPRESENTATIVE MACK: I'm David Mack, III, state representative out of Charleston County.

REPRESENTATIVE LITTLEJOHN: Lanny Littlejohn. I represent Spartanburg and Cherokee County.

CHAIRMAN KNOTTS: I'm Jake Knotts, represent Lexington.

SENATOR ALEXANDER: Thomas Alexander, Senator District 1, Oconee, Pickens.

SENATOR PEELER: I'm Harvey Peeler. Senator District 14, Cherokee, Spartanburg, Union, and York.

SENATOR MCGILL: Yancey McGill, District 32, Florence, Georgetown, Horry, and Williamsburg.

CHAIRMAN KNOTTS: Y'all don't have to sit on the back row. We're not going to bite you here.

SENATOR PEELER: And they're all Baptists.

CHAIRMAN KNOTTS: Are you all Baptists? Welcome. First of all, I'd like all the candidates that are going to be screened today to please stand and raise your right hand. We have four candidates standing. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

CANDIDATES: I do.

CHAIRMAN KNOTTS: Okay. Thank you. For the remainder of this screening process, you all are considered sworn in. Okay? The first person to be screened is Brad Covar.

MR. COVAR: Yes, sir.

CHAIRMAN KNOTTS: Mr. Covar, would you come forward, please?

MR. COVAR: Here or?

MS. DERRICK: Right there.

CHAIRMAN KNOTTS: Right there at the podium.

MR. COVAR: Okay. Thank you.

CHAIRMAN KNOTTS: Just going to ask you a few general questions and then I'll have staff cover some of the background that we've -- clearance that we've gotten. Mr. Covar, do you have any interests professionally or personally that would present a conflict of interest because of your service on the board?

MR. COVAR: No, sir.

CHAIRMAN KNOTTS: Do you now hold any public position of honor or trust that if elected would cause you to violate this dual office-holding clause of the constitution of this state?

MR. COVAR: I believe I do, sir. I serve on the board of trustees in Edgefield County School District. And should I be elected to this position, I would resign from that position.

CHAIRMAN KNOTTS: Okay. Any questions from any of the members? Okay. If your seat is determined by congressional district or judicial circuit, do you reside at the address on your driver's license, voter registration, and property tax residence statement or on a full-time basis in the district?

MR. COVAR: I do, sir.

CHAIRMAN KNOTTS: Okay. Do you understand that you are prohibited from seeking a commitment until 48 hours after the release of the committee's report?

MR. COVAR: I do, sir.

CHAIRMAN KNOTTS: Have you asked for any commitments or sent any letters or anything like that out which would actually ask someone to vote for you or have you asked someone to call on your behalf to get a commitment to vote for you?

MR. COVAR: No, sir. I have not.

CHAIRMAN KNOTTS: Okay. I'm going to ask staff to go over the background check that we have completed.

MS. DERRICK: The background report from SLED shows no felony charges against the candidate and no civil or criminal judgments have been found against the candidate either.

CHAIRMAN KNOTTS: The background check and driver's license are matched up?

MS. DERRICK: All clear. Nothing is found except a ticket.

CHAIRMAN KNOTTS: Huh?

MS. DERRICK: That all is clear. Nothing is found against the candidate.

CHAIRMAN KNOTTS: That's what we want to hear every time. Does it show any arrests at all?

MS. DERRICK: No.

CHAIRMAN KNOTTS: Okay. Thank you. If you would briefly tell us why you're seeking this position and what you could do for the University of South Carolina if elected.

MR. COVAR: All right. I have a short statement and I've already provided you with some information and background. But Mr. Chairman, I want to thank you and the members of the committee for letting me be here this morning. I'd also like to thank my fellow trustee candidates. I'd say it has been a pleasure to get to know each of you over the last four weeks.

 I would also like to offer my condolences to the family of Mr. Michael Mungo, whose untimely death is the reason we're all here today. Though I did not know Mr. Mungo personally, I am aware of his countless contributions to the University of South Carolina. Mr. Chairman, I'm here today for several reasons. Like all my fellow candidates, I love my alma mater. I have a genuine desire to help shape the future of the University of South Carolina.

 I believe my professional background as a self-employed, certified public accountant, my 18 years of service on the Edgefield County School Board dealing with education issues, and my life experiences in a small town in rural South Carolina not only qualify me for board service, but also give me a unique perspective on higher education in general. My wife and I know first-hand what parents go through trying to save and pay for college. Our oldest daughter, Christina, graduated from USC Columbia last Saturday. Our second child heads off to college this fall. And in two short years, our third child starts college.

As a school trustee, I have worked to ensure our precious funds are spent wisely. Given the current economic client, every dollar spent must be justified. And every program implemented must be reviewed to weigh the cost benefit. Tuition increases should only be considered after all other options have been exhausted. Let me say this in closing: We're all in this together.

 Administration officials, board members, and legislators must work together to provide our college students the very best education possible at a reasonable cost. Thank you, Senator.

CHAIRMAN KNOTTS: Okay. Any member of the committee have any questions?

SENATOR PEELER: Mr. Chairman, if there are no questions, I move for favorable report.

CHAIRMAN KNOTTS: Okay. I have a favorable report. Any second?

REPRESENTATIVE WHITMIRE: Second.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: Second. Any discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Let it be known that it was unanimously approved. Mr. Covar, I want to again remind you until 48 hours after the report is released, you are not to ask for a commitment, call someone to ask on your behalf for a commitment, or it can bring you some problems in being disqualified.

MR. COVAR: I understand, sir.

CHAIRMAN KNOTTS: Okay?

MR. COVAR: Thank you.

CHAIRMAN KNOTTS: Thank you. Next is Mr. Bill Dukes.

MR. DUKES: Good morning, everyone.

COMMITTEE: Good morning.

MR. DUKES: Thanks for giving me the opportunity to be here. And again, I have enjoyed dealing with my fellow candidates. Currently, I am available for any questions that you may have.

CHAIRMAN KNOTTS: Okay. Mr. Dukes, we got some questions for you and would like for you to answer them. Do you have any interests professionally or personally that would present a conflict of interest because of your service on the board?

MR. DUKES: No, sir.

CHAIRMAN KNOTTS: Are you a member of the airport commission?

MR. DUKES: That's correct.

CHAIRMAN KNOTTS: Okay. Do you now hold any public position of honor or trust, that if elected, would cause you to violate the dual office-holding clause of this constitution?

MR. DUKES: Yes, sir. The airport commission.

CHAIRMAN KNOTTS: Okay. And how would you handle that?

MR. DUKES: I would resign.

CHAIRMAN KNOTTS: If your seat is determined by congressional district or judicial circuit, do you reside at the address on your driver's license, voter registration, and property tax residency statement on a full-time basis?

MR. DUKES: Yes, sir.

CHAIRMAN KNOTTS: In the district?

MR. DUKES? Yes, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking commitment until 48 hours after release of the committee's report?

MR. DUKES: Yes, sir.

CHAIRMAN KNOTTS: Okay. Have you written any letters, asked anyone on your behalf or you personally asked -- you asked anyone for a commitment to vote for you for this board seat?

MR. DUKES: (Shakes head.)

CHAIRMAN KNOTTS: Is that a "no"?

MR. DUKES: No, sir.

CHAIRMAN KNOTTS: Okay. All right. Mr. Dukes, go ahead and tell the committee why you want to serve on its board and what you bring to the table to help the University of South Carolina.

MR. DUKES: Yes, sir. Currently the USC board composition does not reflect the diverse professions of its graduates. Only five of the current 17 trustees represent the business profession. My election would bring needed business expertise to the board. I have had the opportunity to serve USC on the education foundation for six years.

And I also was responsible for leading the effort to bring the completion of the arena and the convention center project to this area, the Vista, on behalf of the University and also on behalf of this greater community. That was done as a result of efforts to build consensus among six governmental entities. And we were able to do that and have successful effort at that. I've also had the opportunity over the past 8 and a half years to serve as a member of the board of trustees of Newberry College, which is a Lutheran denomination school, private school. And we've had -- probably experience many issues and I believe that those experiences will well qualify me to serve on this board.

 At this time, our university is facing major issues including funding, cost containment, and increasing cost of tuition. We must ensure USC is portable and accessible to all South Carolinians. Thank you very much, again, for the opportunity and if there are any questions, I'll be happy to answer them.

CHAIRMAN KNOTTS: Okay. At this time, I'd like to ask staff to give us a report on his SLED report, his driver's license, his credit report, or any other report that you might have for us.

MS. DERRICK: The background report from SLED showed no felony charges against the candidate or no charges on his driving record. There were no criminal or civil judgments out against him.

CHAIRMAN KNOTTS: Okay. Any questions from any of the members?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Mr. Dukes, there has been some publications sent out since then, since signing up and would you clarify some of what those publications were and what the intentions of those publications were for the record?

MR. DUKES: What kind of publications, sir?

CHAIRMAN KNOTTS: The publication where you did a big cover -- a card that was sent out.

MR. DUKES: Oh, resume?

CHAIRMAN KNOTTS: No. It was about World War II veterans and things you had done.

MR. DUKES: Oh, yes, sir.

CHAIRMAN KNOTTS: And all I know -- any emails that you have sent out. Tell us what the intentions of those were.

MR. DUKES: I just sent those out as a -- I have been the chair of Honor Flight for South Carolina for the past two years. And that is an effort to recognize our World War II veterans who are still living and giving them the opportunity to visit the World War II Memorial in Washington, D.C. And that is a part of my, you know, contribution back to my community, as would be the alternative if I had the opportunity to serve on the USC board of trustees. And I shared that with members of the military, persons that have been in the military in this General Assembly. And also, I sent it to some of the people in the Horry County delegation because I have volunteered and we have funded $5,000 dollars from our organization here in Columbia to provide a trip from Horry County World War II veterans in November this year.

CHAIRMAN KNOTTS: So they were not in any attempt to try to seek any commitment or --

MR. DUKES: Oh, no, no, no. No.

CHAIRMAN KNOTTS: Okay. How about emails? Have you sent out any emails to anybody asking for them to call or to contact any members of the General Assembly on your behalf?

MR. DUKES: I have. Yes, sir. I have. And in my emails, I said that I would not -- that it was not approved for them to ask for support, ask for a vote, or ask for a commitment. And after a meeting in your office, that was even further clarified.

CHAIRMAN KNOTTS: Okay.

MR. DUKES: Yes, sir.

CHAIRMAN KNOTTS: Thank you, Mr. Dukes.

MR. DUKES: Yes, sir.

CHAIRMAN KNOTTS: Any other questions from any of the committee?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Okay.

SENATOR PEELER: Mr. Chairman, if there no other questions, I move a favorable report.

REPRESENTATIVE BRADY: Second.

CHAIRMAN KNOTTS: I have a motion for a favorable report and a second. Any discussion? Any further discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Okay. All in favor for a favorable report, raise your right hand.

COMMITTEE: (Raises hands.)

CHAIRMAN KNOTTS: Okay. Thank you. Mr. Dukes, let me further remind you that until 48 hours after the report is issued, you cannot contact anybody on your behalf and ask for a commitment for a vote. You can talk to them and tell them who you are and sit down and discuss your qualifications, but you cannot ask for a commitment. Okay?

MR. DUKES: Yes, sir.

CHAIRMAN KNOTTS: Thank you.

SENATOR MCGILL: Mr. Chairman?

CHAIRMAN KNOTTS: Yes?

SENATOR MCGILL: I'm going to have to leave because I've got a very important call to Washington. I'm going to leave my proxy with Senator Peeler for the other two candidates.

CHAIRMAN KNOTTS: That will be fine. Okay.

SENATOR MCGILL: Thank you very much.

CHAIRMAN KNOTTS: Next is Mr. Hugh Rogers. Mr. Rogers?

MR. ROGERS: Good morning, Senator.

CHAIRMAN KNOTTS: Good morning. Come forward, please. I've got a few questions I want to ask you.

MR. ROGERS: Yes, sir.

CHAIRMAN KNOTTS: First of all, do you have any interests professionally or personally that would present a conflict of interest because of your service on the board?

MR. ROGERS: No, sir.

CHAIRMAN KNOTTS: Okay. Are you a member of any other boards or commissions?

MR. ROGERS: No, sir.

CHAIRMAN KNOTTS: Do you now hold any public position of honor or trust, that if elected, would cause you to violate the dual office-holding clause of the constitution?

MR. ROGERS: No, sir.

CHAIRMAN KNOTTS: If your seat is determined by congressional district, which this is, or judicial circuit, do you reside at the address on your driver's license, voter registration, and property tax residency statement on a full-time basis in 2nd congressional district?

MR. ROGERS: Yes, sir. I live in the 11th judicial circuit and that's where I live. I've lived there a long time.

CHAIRMAN KNOTTS: Okay. All right. Do you understand that you are prohibited from seeking a commitment until 48 hours after release of the committee's report?

MR. ROGERS: I've got that down pat. Yes, sir.

CHAIRMAN KNOTTS: Thank you. Give us a report on his SLED, driver's license, credit, and civil record.

MS. DERRICK: The background reports from SLED show no felony charges against the candidate or on his driving record. And no civil or criminal judgments were filed against the candidate.

CHAIRMAN KNOTTS: Okay. If you would, please, give us the reason why you want to serve on this board and what you can do to help the University of South Carolina.

MR. ROGERS: All right. Thanks very much. I think I have two or three reasons or more, seriously. I hope I'm not out of turn.

One of my daughters who finished Carolina is here. Aida Rogers, who's the long-term editor of Sand Lapper magazine. I think you're familiar with that edition. She's here to support me. Thank you for giving me this opportunity.

I entered the University of South Carolina 1948 as I've said in some of my handouts. The same time that Steve Wadiak came down from Chicago. I was fortunate to get through the university with an A/B degree in English and History, which I think has been put to pretty good use. And then, filed magistrate at Lexington.

 I entered our law school at the University of South Carolina and was able to finish. At that time, my draft board knew exactly where I was and they grabbed me, and it was fortunate for me. I learned a new career. I stayed in after active duty in going to Korea.

I stayed in the reserves and certainly glad I did. I was incrementally elevated until the time I was separated from that, I was a Colonel. At any rate, I do believe I have some experience and some talent that I can bring to help our university which is -- it's not floundering, but we all know it's got its problems. I'm worried that the people in my circuit who want to come to college won't be able to.

 In that regard, if I am elected, my office will be where it's almost always been, in the heart of Lexington under the eaves of the courthouse. People from Edgefield and Saluda and McCormick and Lexington itself can reach me. I've got plenty of parking there. I hope to be a bridge between the populous, those parents who are panicky that they won't be able to send their children to our flagship university. That's what I want to do is relate them to our institution as well as sitting on that board which, as I have mentioned, I have done in the past.

 By virtue of the fact that I was the president of the general Alumni Association of USC. I think that Carolina has done a great deal to further the economic situation of our state. I believe we should strive to reach the level of the University of North Carolina, Chapel Hill while providing degree opportunities for the average good, determined student. And I think some of that Chapel Hill business is perception rather than all reality, but it's something for us to strive for.

Dr. Sorenson, while president, reached out to Clemson, to MUSC, and the larger South Carolina hospitals to seize the potential in the health industry; if successful, South Carolinians benefit by living healthier lives. And the workers in that field enjoy higher earnings. It's the cluster concept that we all know about and we all want to push it. The knowledge economy is important.

 It's real and it should be pursued. But Innovista requires careful, constant attention as it appears to be our problem child today. And we have more than one problem child. And then to be, it's continually upward movement of tuition. Carolina, every year, sends out educated graduates into virtually all our communities.

 These alumni teach, cure, plan, engage, demonstrate, and compete and lead our populous to a better life. Lawyers, engineers, and scientists all improve the standard of living and the quality of life. And they promote civility. That's something sorely needed today. And now we're in the 21st century.

 Our school of arts and sciences equip students for important life work in over 124 fields of study. Our grads have to compete worldwide. I believe the humanities equips students, undergraduate and graduate, to communicate, thereby making useful the important knowledge they gained at USC. As I say, I started with Carolina in 1948.

 We had 5,000 students on campus. And today, just at Columbia, we have 27,000 thereabouts. And, of course, we have the state-wide system. That's a lot of people. And I say hopefully the professors now are still teaching the truth to the best of their ability, still inspiring students to tackle the hard assignments.

 In producing mature men and women who can lead and succeed anywhere in the world. I am not a member, as I testified, on any other trustee board, so there would be not only no conflict, but not even any influence for my time and whatever talent I might have. I believe being located where I am, the people can find me. And if I need to find you ladies and gentlemen on the legislature, in the legislature, I can do that. But it's a plus for the populous to be able to find their circuit trustee closer to where they live.

 I served on the board before. I didn't get kicked off. I hope I'll have that opportunity to serve again. And I thank you very much.

CHAIRMAN KNOTTS: Do we have any questions from any members of the committee?

SENATOR WHITMIRE: Senator?

CHAIRMAN KNOTTS: Yes, sir.

SENATOR WHITMIRE: Mr. Rogers?

MR. ROGERS: Yes.

SENATOR WHITMIRE: I'm going to vote to confirm you even though Wadiak beat the heck out of Clemson several times.

MR. ROGERS: Be careful about that, sir. I appreciate it.

CHAIRMAN KNOTTS: Any other members?

SENATOR ALEXANDER: Favorable report.

CHAIRMAN KNOTTS: I have a move for a favorable report by Senator Alexander. Do I have a second?

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: I have a second by Representative Mack. Any further discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Be no discussion. All in favor raise your right hand.

COMMITTEE: (Raise hands.)

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Let it be known that it was unanimous. Do we have a proxy vote?

SENATOR PEELER: Yes, Senator McGill's proxy.

CHAIRMAN KNOTTS: Senator McGill's proxy is favorable.

SENATOR PEELER: (Affirmative.)

CHAIRMAN KNOTTS: Okay. Mr. Rogers?

MR. ROGERS: Yes, sir.

CHAIRMAN KNOTTS: I just want to advise you as I have the others. Until 48 hours after the report of this committee is released, you cannot ask or seek any seat to get a commitment by yourself or have anyone on your behalf seek a commitment from any member of the legislature until 48 hours after. That means you can talk to them, tell them your qualification, but you cannot ask or seek a commitment until 48 hours after.

MR. ROGERS: Forty-eight hours, sir.

CHAIRMAN KNOTTS: Yes, sir, 48 hours after the release of this report. This report will not be released today.

MR. ROGERS: Yes, sir.

CHAIRMAN KNOTTS: You'll be notified by staff of the time that we're going to have it on the desk of the legislators. They got 48 hours to review before you can ask them.

MR. ROGERS: I understand.

CHAIRMAN KNOTTS: Okay. Thank you.

MR. ROGERS: Thank you.

CHAIRMAN KNOTTS: Next Mr. Thad Westbrook.

MR. WESTBROOK: Good morning.

CHAIRMAN KNOTTS: Good morning, Mr. Westbrook. I got a few questions to ask you. Do you have any interests professionally or personally that would prevent a conflict of interest because of your service on the board?

MR. WESTBROOK: I do not.

CHAIRMAN KNOTTS: Do you now hold any current position of honor or trust, that if elected, would cause you to violate the dual office-holding clause of the constitution?

MR. WESTBROOK: Yes, sir. I do. I serve on the board of directors for Lexington Medical Center, which is the health service district appointed by our county council. And if elected to the board of trustees, I would resign from that hospital board.

CHAIRMAN KNOTTS: Okay. If your seat is determined by judicial circuit or congressional district, do you reside at the address on your driver's license, voter registration and property tax residency statement on a full-time basis in the district?

MR. WESTBROOK: Yes, sir. I do.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a commitment until 48 hours after release of the committee's report?

MR. WESTBROOK: Yes, I do.

CHAIRMAN KNOTTS: And you cannot ask anyone on your behalf to seek a commitment for you on your behalf?

MR. WESTBROOK: Yes, sir.

CHAIRMAN KNOTTS: Thank you. Staff, give us a report on this.

MS. DERRICK: The background report from SLED shows no felony charges against the candidate, no charges on his driver's license. There are no civil or criminal judgments found against the candidate, either.

CHAIRMAN KNOTTS: Okay. Mr. Westbrook, if you would tell the committee why you want to serve on the USC board and what you bring to the table that you feel could benefit the citizens and also the school.

MR. WESTBROOK: Thank you, Mr. Chairman. And good morning. And good morning to the members of the committee. Thank you for this opportunity for me to talk about my interests in serving on the USC board of trustees. I decided to run for the board of trustees because I believe in the mission of the university. I believe that if I serve on the board, I can help advance the university to fulfill its mission.

 As you know, the mission of the university is to educate the diverse citizens of our state through teaching, through research and creative activity and through service. And the University of South Carolina being the flagship school has a significant responsibility to train the leaders for tomorrow in South Carolina. To help make progress on social issues and develop research and technology that benefits our state. I believe the board of trustees has the responsibility to provide the education to students that is affordable and accessible to South Carolinians. And in doing so and in looking at programs, you know, I believe the board needs to exercise physical discipline and to be good stewards of the university's resources.

 I am a product of the University of South Carolina. I graduated from the Honors College and from the law school. After law school, I clerked with federal Judge G. Ross Anderson, Jr. for a year. And I'm now in private practice as an attorney with Nelson Mullins. As an attorney in my firm, I am chairman of our firm's recruiting committee, and I also serve on the diversity steering committee for our firm.

I'm active in the South Carolina Bar. In particular, I proudly serve on supreme court's committee on character and fitness, which is a committee appointed by our state supreme court. I live in Lexington with my wife and three children and I do have some other board experience I think is helpful. And it helps give me unique experience to come do this job. I served for two years on the board of visitors for the Medical University of South Carolina.

 I've also served for the past 4 years on the board of visitors for the University of South Carolina. And I've been vice chairman of that board for two years. Those board experiences have helped me gain an understanding of the issues of providing our universities and colleges in South Carolina and that's the experience that I think I can take with me to the board of trustees to be proactive and entrusting issues there. I also want to note that I serve on the Lexington Medical Center Hospital Board. I've been there for 8 years.

 I'm now in my third year as chairman of that board. Lexington Medical Center is a $525 million-dollar operation with more than 5,200 employees. It's the third largest employer in the Midlands. I take my job very seriously there. I've never missed a board meeting in 8 years.

I'm very proactive in addressing the issues that are facing the board. And also, being involved in the health care industry and with the university having a medical school, a nursing school, a school of public health, a pharmacy school I bring a certain level of understanding to the board in addressing those types of issues. I'll tell you when I became chairman, there were some issues regarding the Lexington Medical Center. We had ongoing certificate of need disputes with other hospitals.

 And I decided as chairman, that that was not good business for the hospital, it was not good for the patients in the midlands. And so, I became very proactive and worked hard to resolve those issues. Last year, we resolved our issues with Providence Hospital. And in fact, at the end of last year, our hospitals joined together in a joint application to DHEC for a certificate of need in collaboration with each other. This month, we resolved our issues for Palmetto Health.

 Now, today, Lexington Medical Center has no ongoing disputes with another hospital. The reason I tell you that, is because I believe as a member of the board, it was my responsibility to be proactive in addressing issues. To work hard, to use a great amount of energy to get the job done and we did that. In conclusion, I want to tell you that I know it's a great responsibility to be on the board of trustees at the university. It's something I take very seriously. And as a member of the board, I will be very accessible.

 Accessible to the General Assembly, accessible to my community, accessible to students and faculty. Because with that accessibility, I believe I would know what the issues are. I would need to work on them and address them on behalf of the university and on behalf of our state. So thank you for your time. Thank you for this opportunity to talk to you this morning.

CHAIRMAN KNOTTS: Any questions from any of the members?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Mr. Westbrook, let me ask you this. You mentioned the service to the University of South Carolina on the boards and boards of visitors and stuff. Are you aware of the, I guess, the movement towards a partnership with Greenville Hospital on a medical, as part of the Medical University of South Carolina?

MR. WESTBROOK: Yes, sir. I'm familiar with the issue. I have worked with them in going through process and meeting with members of the General Assembly. So I have some familiarity with it. My understanding is that the university is trying to come up with a 5-year plan to demonstrate how that collaboration with the board. I don't think it's been released yet.

CHAIRMAN KNOTTS: Okay. Any other questions?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Okay. Do I have a motion?

SENATOR ALEXANDER: Motion.

CHAIRMAN KNOTTS: I have a motion by Senator Alexander for a favorable report. Do I have a second?

SENATOR PEELER: Second.

CHAIRMAN KNOTTS: Second by Senator from Gaffney. Any discussions?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: No discussion. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Raise your right hand, I mean.

COMMITTEE: (Raise hands.)

CHAIRMAN KNOTTS: Do I have a proxy?

SENATOR PEELER: I have a proxy.

CHAIRMAN KNOTTS: Have a proxy. Let it be unanimous. Mr. Westbrook, let me advise you like I have advised the rest of them. You cannot seek a commitment nor ask someone to seek a commitment on your behalf for a vote in the General Assembly, any member of the General Assembly until 48 hours after this report is released. Staff will notify you when the report will be released.

We'll let you know when we believe it will be released. But until it's released, 48 hours after that time, you can seek commitments.

MR. WESTBROOK: Yes, sir. I understand.

CHAIRMAN KNOTTS: You understand that fully?

MR. WESTBROOK: Yes, sir.

CHAIRMAN KNOTTS: Okay. Thank you.

MR. WESTBROOK: Thank you.

CHAIRMAN KNOTTS: Any further business of the committee? There'll be no -- yes, ma'am, Ms. Brady?

REPRESENTATIVE BRADY: I would like for you to discuss as I had another meeting prior, do we have a schedule? Are we going to try to get this report out a little earlier than normal? Do we know when the election will be?

CHAIRMAN KNOTTS: Yes, ma'am. We are going to try to get it out as quickly as the court reporter can get it prepared.

MS. DERRICK: Next Tuesday is what we're looking at.

CHAIRMAN KNOTTS: And talking about next Tuesday morning at -

MS. DERRICK: At noon.

CHAIRMAN KNOTTS: -- at noon. So that means Thursday at noon, someone could -- you candidates can probably look forward to trying to get your commitments. That's tentative. Until it's put on a desk on Tuesday. That's just tentative. Okay.

(Off the record discussion.)

CHAIRMAN KNOTTS: Okay. We're going to get this election started soon as possible and held as soon as possible. So if -- it looks like it's going to be at least two weeks from today before we can even consider having a joint session. We'll get in touch with you and let you know. Okay.

(Adjourned at 9:54 a.m.)

ADJOURNMENT

 At 11:15 A.M., on motion of Senator LOURIE, the Senate adjourned to meet next Tuesday, May 25, 2010, at 12:00 Noon.

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