**Tuesday, March 13, 2012**

**(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 LARRY MARTIN.

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

The Psalmist declares:

“Create in me a pure heart, O God, and renew a steadfast spirit within me.” (Psalm 51:10)

Please bow with me as we pray:

Most Holy and Merciful God, since 1895—when our state’s present Constitution was adopted—this body has diligently tried to honor the principles formulated at that time. We pray, O Lord, during this period of historic change, that You will lead these Senators as they continue serving faithfully, honorably, responsibly and nobly. Grant that each of Your servants here remains steadfast in his determination to work for the benefit of the citizens of our State. And through all that might conceivably unfold, O God, bless every member of this body as You bestow Your merciful care upon each one. In Your loving name we pray, Lord. Amen.

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

**COMMUNICATION**

State of South Carolina

Office of the Lieutenant Governor

March 9, 2012

The Honorable Nikki Haley

Office of the Governor

1205 Pendleton Street

Columbia, SC 29201

Dear Governor Haley:

I have determined that it is in the best interest of our State and of the people of South Carolina for me to resign from the Office of Lieutenant Governor. Therefore, effective at 10 a.m. this morning, with this letter, I hereby tender my resignation as Lieutenant Governor of South Carolina.

By copy to Jeffrey Gossett, Clerk of the South Carolina Senate, I am informing him of my decision to resign from office.

Yours very truly,

/s/ Ken Ard

cc: Jeffrey S. Gossett, Clerk of the South Carolina Senate

**Remarks by Senator McCONNELL**

When I walked into the Senate thirty-one and a half years ago, I saw in the chair I occupy today Senator Marion Gressette, PRESIDENT *Pro Tempore* and Chairman of the Judiciary Committee. He became an inspiration to me about the importance of this institution as a deliberative body, where detail and fairness were the norms for operation. I was one of only five Republicans, and yet I was welcomed as an active participant in the process of legislation. His character and values became my goal as a legislator. Thus, it caused me to make a decision early on to stay in this body and accumulate seniority to become Chairman of the Judiciary Committee and ultimately PRESIDENT *Pro Tempore*.

Thanks to Senator MARSHALL WILLIAMS’ gentle persuasion, I hung in here after Senator GRESSETTE’s passing and learned from Senator WILLIAMS how goodwill and fairness could advance the process of good legislation. His goal was never to garner a headline, but rather to achieve headway.

Senator DON HOLLAND was another Chairman of the Judiciary Committee who reinforced the ideals of the two previous chairmen, and I will always remember him for his consistency and his loyalty to the institution. Again, on the PRESIDENT *Pro Tempore* side, I would be remiss if I did not remember Senator JOHN DRUMMOND, who reinforced the importance of overcoming party lines and dealing with the senators as equal participants rather than partisans. He always pleaded with the Senate to be the Senate and rise up to whatever challenged faced it.

Over the years, many of you have contributed to my experience here in the South Carolina Senate. Time will not allow me to recall all of those events. Debating Bills, making amendments and moving legislation forward have been some of the joys of service in the South Carolina Senate. The Senate was built on collegiality and a deep respect for the process. Sadly, partisanship has raised its head over the years and even now threatens to erode the deliberative atmosphere that is so essential to good legislation.

As your PRESIDENT *Pro Tempore*, I have tried to create an atmosphere of non-partisanship and mutual respect. I believe at the end of the day, the only majority that truly matters is that we are all South Carolinians.

As Chairman of the Judiciary Committee, I did the same thing. Some of the great senators I called previously by name instilled in me an understanding of how essential it is for everyone to work together if this body is to function in a thorough way for the vetting of ideas and the making of laws. I have tried in my eleven and a half years as Chairman of Judiciary and as PRESIDENT *Pro Tempore* to deal with each of you as senators, not as Democrats or Republicans.

The highlight of my public service has been the ability to engage in the legislative process. I fought with you and against you. I have over the years 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 Lt. 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 of office as PRESIDENT *Pro Tempore* will do as they swore to do and fulfill the constitutional duty of becoming Lt. 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*.

Robert E. Lee said, “Duty is the most sublime word in our language. Do your duty in all things. You cannot do more. You should never wish to do less.”

What I do today is what every person who seeks and holds office should be prepared to do - fulfill the oath of office we made to discharge the duties of the office to which we are elected and uphold the Constitution of this State and the United States.

Upholding our oaths is not really a sacrifice; it is simply honoring a promise we made to those who sent us here and that we asked God to bear witness to. But, if we ask God to bear witness to the pact between the governed and their representatives then we should also be prepared for God to hold us accountable as to whether we have honored that commitment.

When I learned that the Lt. Governor might resign and eventually had resigned his office, I knew that I had a moral obligation to my oath of office and to the Constitution of this State. I certainly was planning on running for re-election and hopefully serving again in this august Chamber because I love this body and serving the people of South Carolina.

Knowing what it was costing me, this decision was a hard one to make but one I knew I had to do. Even knowing you are doing the right thing, doesn’t make the decision to do the right thing an easy one.

But my oath compels me to do the right thing no matter how difficult it may be to me personally.

Each Sunday before Mass, I pray to God to not allow power to corrupt me and to have my conscience speak to me about what it is right. Although I am saddened by what I must do, I take comfort in knowing that I have honored what I promised God I would do.

To my critics who said I created this. If this is what you meant by saying that I was making my own bed, then I made an honorable bed and I will lie in it.

Our oaths of office are short statements where we swear to discharge specific duties and uphold the Constitution. It is a clear and unambiguous statement of what is expected of an office holder.

During my entire political career, I have consistently fought against those who would twist and manipulate the Constitution for their personal or political gain.  Our State and nation suffer because of those who do not take their oaths seriously and treat our Constitutions as simply a means to an end.

During my entire political career I have fought to uphold the Constitution, and I will not stop upholding the Constitution no matter how difficult it may be to me personally.  It is more important that I exercise the duties of the office for which I have been elected and uphold my oath. I will not contort the words of both the 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.

The people of South Carolina have spoken through their Constitution as to what they require of their government. The Constitution intends that the PRESIDENT *Pro Tempore* of the Senate step up when a permanent vacancy in the office of Lt. Governor occurs. That is the clear Constitutional duty of the PRESIDENT *Pro Tempore*. I will carry out the Constitution as I swore to do in accordance with the language as written.  That is why I will soon take the oath of office as Lt. Governor and thereby vacate my Senate seat.

This has been one of the most difficult decisions I have ever faced. The greatest honor of my career has been representing the people of District 41 in the South Carolina Senate. But I came here with a deep commitment to the Constitution, and I will not abandon it by not doing what I know is right.

I hope I leave this body as an example to senators today and in the future of what we are expected to do when duty calls.

Thank you.

**Privilege of the Floor**

On motion of Senator LARRY MARTIN, the Privilege of the Floor was extended to Chief Justice Jean Toal for the purpose of administering the Oath of Office.

**Inauguration of the Honorable Glenn F. McConnell**

**as the Lieutenant Governor of South Carolina**

**Remarks by the Honorable Jean Hoefer Toal**

**Chief Justice of South Carolina**

When the history of South Carolina in this age is set down, the name of GLENN F. McCONNELL will be writ large as a man who upheld the Rule of Law and abided by the sacred nature of the oath he swore to defend the Constitution of South Carolina and the honor of his office as the Senator from Charleston and PRESIDENT *Pro Tempore* of this body, no matter the personal cost. His courage, his integrity and his intense sense of duty, unwavering and unapologetic, is our bright and shining star, the quintessential exemplar of everything that is good and decent in a true servant of the people.

Senator McCONNELL, come forward to once again pledge your fidelity to the citizens of South Carolina and to your office as their Lieutenant Governor.

**Administration of Oath of Office  
Lieutenant Governor Sworn In**

Senator McCONNELL presented himself at the Bar and the Oath of Office was administered by Chief Justice Toal.

Senators LAND and PEELER presented the robe and gavel to Lieutenant Governor McCONNELL.

**Privilege of the Floor**

Her Excellency, the Honorable Nikki Haley, Governor of the State of South Carolina, and Mark Hammond, Secretary of State, were granted the Privilege of the Floor and presented the Commission to Lieutenant Governor McCONNELL.

Senate District #41 was vacated.

At 12:46 P.M., the PRESIDENT of the Senate assumed the Chair.

Senator LAND was recognized.

**Remarks by Senator LAND**

Gentlemen of the Senate, for nearly 32 years, every time the Senate was called into Session, the Senator from Charleston, the PRESIDENT *Pro Tempore* and now Lieutenant Governor of the State of South Carolina, and I were here together.

I have found him to be a person of outstanding character and ability, which was so well demonstrated today by the decision that he made. I don’t know that if I had been in his position, Senator from Lexington, that I could have made that decision, but he did. That is to his credit and that is of his character and what we have all known of GLENN McCONNELL over the years.

Lieutenant Governor, I have thoroughly enjoyed my service with you. I have enjoyed our legislative battles. You taught me a lot about passing laws. You would give a little, and you would back up a little more until you had that Bill exactly like you wanted it before you finally consented to go forward with it; then you’d vote against it! I thought I had you covered, and you left me right at the last, when it counted the most. Finally, the Senator -- the Lieutenant Governor-- and I found it much easier to be on the same side. I always wanted to figure out where the Senator from Charleston was headed on a particular matter, and then I would make up my mind to get on that same bandwagon because it was much easier than opposing him. It was all in good nature.

I am thankful for our legislative fights over the years; we live in a better State because of it. I am very, very saddened to see you leave this Senate. I really do not believe that the Senate will ever be the same without you. I felt that way about many that have come before you as PRESIDENT *Pro Tempore*, but I say with you, you have added so much to the Senate from your manner in which you have conducted business in this Senate and your personality -- the fact that you are just a good southern gentleman. That made a tremendous difference in the pleasure we got from serving in this body.

So I say to you, you’ve served your State very, very well. You deserve the office to which you have just been promoted. I look forward to you looking at the back of my head and all that hair for the next several months of this legislative session.

And I say God bless you and thank you to the people of South Carolina.

Thank you.

Senator COURSON was recognized.

**Remarks by Senator COURSON**

I agree with Senator LAND’s remarks.

I have known the Lieutenant Governor longer than anyone in the Senate -- dating back to the Ronald Reagan Presidential Campaign days. Lt. Governor McCONNELL and I were heavily involved with

President Reagan. We are Reaganites and served as Reagan delegates to multiple GOP National Conventions.

As I told someone the other day, people ask me about the Lieutenant Governor. What is he interested in? He is in love with two things -- both inanimate objects. One is the Confederate submarine H.L. Hunley and the second is the South Carolina Senate.

Senator LAND mentioned that Lt. Governor McCONNELL has served this body well and is the epitome of leadership and I completely concur. I will miss him on the floor. I will look up to him and call him Mr. PRESIDENT.

Thank you, Lt. Governor GLENN F. McCONNELL.

Senator LARRY MARTIN was recognized.

**Remarks by Senator LARRY MARTIN**

Thank you, Mr. PRESIDENT. Members of the Senate, if you note we did the Resolution, Senator from Clarendon, after Senator McCONNELL became Lieutenant Governor. That way he can’t object to it.

I’m so pleased to have the had opportunity to serve and to know the former Senator, now Lieutenant Governor, GLENN McCONNELL. We were talking yesterday evening about when we first met, as we all do -- and reflect and think back. I was a very young member of the House. He was running for the Senate and I met him down at the escalator. I had been out and I didn’t have anything to do that evening and had gone for a long walk. We met and I’ve just been very impressed, having had the opportunity to work with him on a variety of things. But more specifically in the Senate serving with him in the Judiciary has been the highlight of my life. To follow him on the Judiciary Committee is almost impossible in that regard. Nobody is going to follow Senator McCONNELL. All we can do is do what he did, Senator from Clarendon and Senator from Cherokee and others. All we can do is what he did today -- that’s to do our duty -- do what we were sent here to do -- to serve the people.

Never forget, it doesn’t matter what position we hold in this Chamber -- never forget -- as the Senator from Charleston hasn’t forgotten who sent him here. The people from Charleston sent the former Senator, now Lieutenant Governor McCONNELL, here. Our respective districts -- no matter our position -- sent us here to represent them. He’s taught me that you don't ever forget that. I have never forgotten that.

With that, I congratulate you. It’s been an honor and one thing I will always cherish. The great thing about this is he can’t beat up on us. He’s railed against the executive branch ever since I have known him. I told him this last night. He is now one of them. He can’t debate too much. I love him like a brother. He won’t be too far away. We will seek your wise counsel, I’m sure, very often. He will probably offer suggestions a time or two, whether I solicit it or not. I hope he does. But, thank you, Senator. You will always be -- although now Lieutenant Governor -- I think we will always refer to him as Senator and our colleague.

God bless you and best wishes.

Senator PEELER was recognized.

**Remarks by Senator PEELER**

Thank you, Mr. PRESIDENT. Members of the Senate, we have been taught that where a man’s treasure is, that is where his heart will be also. We have always also been taught that a man’s time is his most precious commodity. That is his treasure, Senator from Clarendon.

The second Tuesday in January of 1981, the Senator from Charleston and I walked through those doors. We walked through them together. I have served with him and beside him ever since. I have to rise and tell you that I love and appreciate my desk mate. It will be almost impossible for me to accept the fact that he won’t be on this floor with us. He will be up there in the purple robe. But on behalf of our caucus and on behalf of our Senate, we love you, we appreciate you and we appreciate what you’ve done.

Thank you.

Senator GROOMS was recognized.

**Remarks by Senator GROOMS**

Members of the body, there is something that the Senator from Charleston has taught all of us. It has to do with the “slip between the cup and the lip”. Do not ever forget that one. The other thing the Senator from Charleston has taught us is, “there is no lesson learned in the second kick of a mule”. These are words to live by; words to know and to understand. The Senator from Cherokee talked about where your heart is; there are two places Senator McCONNELL’s heart lies -- here in this body and with his family. With Senator McCONNELL today we have his brother, Sam and his sisters Millie, Connie and Debbie. If you would, please stand and let this body recognize you for being here with us today.

In the afternoons in the antechamber and in other places around the State Capitol you have heard many, great stories of the jet ski adventures on Lake Marion, Lake Moultrie, the Cooper River and of tales of alligator encounters  both large and small. I am here to tell you that almost all of those stories are true. But as Lieutenant Governor there will be changes in the responsibilities and duties of your office. Although the leadership burdens of being the Lieutenant Governor are great, there is the benefit that your summers will be free. So this body should know that there will continue to be many, many more stories of alligators, jet skis and other adventures.

Folks have always talked about how fast his jet ski would go. I would get asked, “GROOMS, what is the matter? Can you not catch up and beat him?” I would like to now share with this body that the speed of my jet ski may not have been faster than the ski of the PRESIDENT *Pro Tempore* and Chairman of the Judiciary Committee. It is, however, faster than the jet ski of any Lieutenant Governor. He will soon learn a lesson on just how fast I can really go.

Thank you.

Senator SETZLER was recognized.

**Remarks by Senator SETZLER**

I will be brief.

The Senator from Cherokee was talking about when you and he came through the doors. The Senator from Clarendon and I helped welcome both of you to the Chamber at that time.

We have all seen many changes in this body. Particularly in the last ten years, during which we went through difficult times and came back together.

I want to thank you for what you have done in maintaining the dignity and the integrity of the South Carolina Senate and for what it is known -- the manner in which it conducts its business with due respect for each member and as a deliberative body. It is not a fast track or a NASCAR racetrack. You have preserved and protected that.

On behalf of myself and the rest of us who are here, I want to thank you because this is a very special place where we all serve. To your credit, one of your legacies will be for us to to try to maintain that respect that each member has for each other as we deal with each other on legislative matters.

Senator KNOTTS was recognized.

**Remarks by Senator KNOTTS**

Gentlemen, I have thought about what I was going to say about my hero leaving. I first met Senator McCONNELL when I was elected to the House of Representatives in 1994. I liked him then. I love him now. He always gave me good advice as a young freshman legislator. Before my first meeting in the Senate, I sat down and talked with Senator LEATHERMAN and Senator McCONNELL about what to expect in this body. The thing that I remember so clearly about that conversation was what GLENN McCONNELL said, “The Senate is an institution; an institution of respect. It is an institution unlike the House. We are a deliberative body. Things don’t move as fast in the Senate as you are accustomed to in the House.” I remember that like it was yesterday. I have always remembered that. This is a deliberative body. Everything that Senator McCONNELL and Senator LEATHERMAN told me that day was the truth.

I’ve confided in our new Lieutenant Governor numerous times on issues, always involving the little man, the people whom I represent, and the people of this State. Senator McCONNELL always said, “You are the Senator from Lexington, but you also represent the State of South Carolina. Your decision has to be good for not only your district, but for the people of South Carolina.”

Like I said, many times we sat down together. Many times we talked. Senator GLENN McCONNELL ribs me and I rib him. Y’all have seen it go on, about Dunbar Road and Boom-Boom. He has said that his little dog could whip my little dog. We always joked about that. But he’s been a friend. He’s been a confidant. He’s been a leader. When I went to him for advice, I never, ever have had to look back. I never had to question myself, because if I was right, I knew it. If I was wrong, I knew it. If I was somewhere in between, I knew that I could count on him to tell me so that I could make it right.

I remember my first debate. It was the seatbelt debate. I sat on the back row over here and the back row over there. The whole time I was in the House, I sat in the back row also. One day Senator McCONNELL asked me, “Why don’t you move up closer to the front?” I said, “I want to make sure all you Senators have to turn around to look to see what I’m doing on the back row.” He chuckled at that. Then we ended up having chiropractors in the basement Wednesdays and Thursdays to help crack our necks.

Well, I just want to tell you, Lieutenant Governor, thank you for all of your advice. Thank you for the many times I have called you on the phone on the weekends and at night and asked you for advice. I thank you for the very few times that he called me for my advice.

But on this particular occasion, I’m proud he took his oath of office seriously. He has always been a strict Constitutionalist. For him to do anything else -- as hard as it was -- was a violation of his oath of office. We have had that discussion. Even though I could be selfish and I know each and every one would want to be also, in order to keep Senator McCONNELL -- Lieutenant Governor McCONNELL. I am having a hard time correcting myself, now that he is Lieutenant Governor.

We not only are a deliberative body and a body of respect, but today we can say our leader was not a selfish person. He did what his oath of office told him to do. This time this Senate is not being beat up by the press because we circumvented the Constitution even though the Senator did not want to be Lieutenant Governor. But I tell you one thing, as good a PRESIDENT *Pro Tempore* as he was, he will be a better Lieutenant Governor. He brings respect to this State. He brings notoriety to this State and common sense to this State, something this State, from time to time, is lacking. Hopefully, this deliberative body will continue to be a body of respect -- because GLENN McCONNELL has brought that to this Senate.

Thank you.

Senator FORD was recognized.

**Remarks by Senator FORD**

I am proud to say, I have had many proud and unique experiences in my life. I have had the distinct pleasure to meet many dynamic individuals. Among them were Dr. Martin Luther King, Jr., A. Phillip Randolph, Adam Clayton Powell, Mahalia Jackson, Rev. Jesse Jackson, Ralph D. Abernathy, Presidents John F. Kennedy, Lyndon B. Johnson, Jimmy Carter, William Clinton, both Bush Presidents, Barack Obama and hundreds of other well known powerful individuals. But over the past 20 years, the person who has had the most impact on my political career is Senate PRESIDENT *Pro Tempore* and now Lt. Governor GLENN F. McCONNELL.

Just as I have learned from these powerful people like Dr. Martin Luther King and Malcolm X, I have also learned from GLENN F. McCONNELL.

Senator LEATHERMAN was recognized.

**Remarks by Senator LEATHERMAN**

Senator McCONNELL, I will have difficulty calling you Governor, I will tell you that. I want to thank you for being my friend over the years. Your friendship has meant so much to me. You and I have talked a lot the last four or five days -- have been together and by telephone. I know how difficult this was for you because you love this Senate. I think you love this Senate more than anything that I can think of with the exception of your family. We are just so blessed to have you as our PRESIDENT *Pro Tem*. You were PRESIDENT of the entire Senate -- you weren’t Democrat or Republican. I recall you got criticism from some of our Republican friends asking why did you cozy-up to Democrats and your response was, “I’m the PRESIDENT *Pro Tempore* of the South Carolina Senate.” You lived up to that. I watched you and compared you to Senator GRESSETTE. You learned from him. You learned well from him. I can tell you that you are equal to him. You may not think you are, but I think you are. Both of y’all had your ways of getting things done. In the end, you got it done and it was done in a way that was not hateful nor was it mean. You were looking out for the good of the State of South Carolina. If you’ll permit us, we will continue to seek your counsel. Thank you for being the great PRESIDENT *Pro Tem* you have been.

Senator MALLOY was recognized.

**Remarks by Senator MALLOY**

Thank you, Mr. PRESIDENT.

Gentlemen of the Senate. I will be brief. It is an honor to be here. It is an honor to serve in this Senate and an honor to have served with the PRESIDENT *Pro Tempore*. As I look around the walls and look at the great people who have served before us and who look back at us, we see greatness in them and the now Lieutenant Governor. I expect one day his picture will hang on these walls. We appreciate your mentorship and teaching. I had something to take care of at home and missed his speech. I know that folks are ready to move on. I will never forget coming here to this Senate and listening to the Senator from Charleston saying, “You know, I always think about what would Senator GRESSETTE do, what would Senator DENNIS do, what would Senator DRUMMOND do.”

I will tell you there was one late night almost eight or nine years ago -- the Senator from Charleston -- who was then a Senator from Charleston and is now Lieutenant Governor -- and I took a walk on the State House lawn. We proceeded to the African American monument. He told me more about African-American history than I would have dreamed would ever come out of his mouth. What that tells us, as the Senator from Clarendon says, “We don’t know everything. You can come here and get answers.” Here I was getting answers on African American history from the Senator from Charleston that they said was a Confederate flag supporter. He was spending time with the young Senator.

I appreciate the remarks that were made earlier. He taught us trust. I trust him. I’m glad he trusts me. I appreciate the tutoring and mentorship and what he offers to this body. I say this to the body again. He talks often about it. It is the decorum. It is a deliberative body and it is the institution and it rises above everything else we should end up having here. It is because we are all South Carolinians. Lieutenant Governor -- Mr. PRESIDENT -- I hope this body will continue to look at many of us that come behind you. Sometimes when we have those puzzling moments, I hope one day many of us in this room that are honored to serve will be looking back and say not only what would Senator GRESSETTE do or Senator DRUMMOND do but what would Senator McCONNELL do? I think that is the biggest tribute we can give him.

Thank you.

On motion of Senators THOMAS, SHEHEEN, WILLIAMS and PEELER with unanimous consent, the remarks of Senators LAND, COURSON, LARRY MARTIN, PEELER, GROOMS, SETZLER, KNOTTS, FORD, LEATHERMAN and MALLOY were ordered printed in the Journal.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following was introduced:

S. 1327 -- Senators L. Martin, Land, Leatherman, Peeler, Courson, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Ford, Grooms, Gregory, Hayes, Hutto, Jackson, Knotts, Leventis, Lourie, Malloy, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO EXTEND THE HEARTFELT APPRECIATION OF THE MEMBERS OF THE SENATE TO OUR FRIEND AND COLLEAGUE THE HONORABLE GLENN F. MCCONNELL FOR HIS DISTINGUISHED SERVICE IN THE SENATE AND TO AUTHORIZE THE COMMISSIONING OF A PORTRAIT OF THE HONORABLE GLENN F. MCCONNELL OF CHARLESTON TO BE PLACED IN THE SENATE CHAMBER.

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Senator LARRY MARTIN moved that the Senate Resolution be taken up for immediate consideration.

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

**Ayes 45; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--45**

**NAYS**

**Total--0**

The Senate Resolution was adopted.

**Election of the PRESIDENT PRO TEMPORE**

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

Senator LEATHERMAN nominated Senator COURSON as PRESIDENT *Pro Tempore*.

Senator GREGORY was recognized to make nominating remarks regarding Senator COURSON.

Senators GREGORY, KNOTTS and LAND seconded the nomination of Senator COURSON.

Senator VERDIN nominated Senator PEELER as PRESIDENT *Pro Tempore*.

Senator VERDIN was recognized to make nominating remarks regarding Senator PEELER.

Senator RYBERG seconded the nomination of Senator PEELER.

The following named Senators voted for Senator Courson:

Alexander Anderson Campsen

Coleman Courson Elliott

Ford Gregory Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy Matthews McGill

Nicholson O'Dell Pinckney

Rankin Scott Setzler

Sheheen Thomas Williams

**Total--27**

The following named Senators voted for Senator Peeler:

Bright Bryant Cleary

Cromer Davis Fair

Grooms Hayes *Martin, Larry*

*Martin, Shane* Massey Peeler

Reese Rose Ryberg

Shoopman Verdin

**Total--17**

Senator COURSON was elected PRESIDENT *Pro Tempore.*

**Statement by Senator CAMPBELL**

I would have cast my vote for Senator PEELER.  However, due to prearranged travel plans, I was out of the State when events related to the resignation of Lt. Governor Ken Ard set in motion today’s vote for the office of Senate PRESIDENT *ProTempore*.  Although, I was back in the State later in the day, my arrival was after the vote.

Senator PEELER was recognized.

Senator LAND was recognized.

**Administration of Oath of Office  
PRESIDENT *Pro Tempore***

Senator COURSON presented himself at the Bar and the Oath of Office was administered by Chief Justice Toal.

Senator COURSON was recognized.

**Remarks by the PRESIDENT *Pro Tempore***

Members of the Senate and the people of South Carolina, Justice Toal is my neighbor and we live about four blocks from each other. She is a baseball nut. I just want to say that. When you go to a baseball game with her, it is tough. She won’t talk; she takes score and pulls her hat down.

I’m deeply thankful to this institution. I would like to introduce my wife, Lisa. My children can’t be here. My daughter is married to a Presbyterian minister, my oldest son is working and my youngest son is a sophomore, so they could not be here. I wanted to share my thoughts with you about this institution as to how much I revere it.

There are three individuals who served here that relished the opportunity to be here. On my side of the aisle -- one was JIM EDWARDS who served two years, 1974 to 1976. He was elected Governor in 1976. He relished this body -- absolutely relished this body. He said it was the best job he’s ever had. Period. He was the cabinet officer under my ultimate icon, Ronald Reagan, who I worshiped politically. JIM EDWARDS was Governor of South Carolina and enjoyed his two years here in the Senate more than anything.

Governor CARROLL CAMPBELL, who served here also two years, was elected to Congress, I think in ’76 or ’78. He went to Congress in ’78. All his life he wore a South Carolina Senate ring. He had that much respect for this institution. The guy that sort of raised me in politics in the State, the late Senator STROM THURMOND was the third individual I mentioned. I was honored to be in his campaign and his treasurer. He told me multiple times how much he enjoyed the service in this body.

Being in the Senate is an honor that transcends anything else politically one can do.

I must say this about the Lieutenant Governor, former Senator McCONNELL. He called me Friday to tell me his decision that he was going to be sworn in as Lieutenant Governor. I have known him almost 40 years. We go back many years in politics. I told him this. I have never been prouder of him or respected him more, because he did not want to do it. He did not want to do it, but he did it. That shows what we are about as Senators. Again, I thank you. I will be fair. But this is an institutional job. I look at it as an institutional position, not a partisanship position.

Thank y’all very much for your support. Thank you.

**SEATING SELECTION**

On motion of Senator LARRY MARTIN, with unanimous consent, Senator COURSON assumed Seat 1.

**STANDING COMMITTEE CHAIRMEN**

Pursuant to Rule 19 and due to the elevation of Senator McCONNELL to the position of Lieutenant Governor, the following members were designated as Standing Committee Chairmen:

INVITATIONS COMMITTEE

Senator O’DELL

JUDICIARY COMMITTEE

Senator LARRY MARTIN

RULES COMMITTEE

Senator KNOTTS

**REGULATIONS RECEIVED**

The following were received and referred to the appropriate committee for consideration:

Document No. 4278

Agency: Board of Cosmetology

Chapter: 35

Statutory Authority: 1976 Code Sections 40-1-70 and 40-13-80

SUBJECT: Examinations; Reexaminations

Received by Lieutenant Governor March 9, 2012

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration February 6, 2013

Document No. 4279

Agency: Board of Cosmetology

Chapter: 35

Statutory Authority: 1976 Code Sections 40-1-70 and 40-13-80

SUBJECT: Administrative Citations and Penalties

Received by Lieutenant Governor March 9, 2012

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration February 6, 2013

**REGULATION WITHDRAWN**

The following was received:

Document No. 4245

Agency: Board of Nursing

Chapter: 91

Statutory Authority: 1976 Code Sections 40-1-70 and 40-33-10

(E) & (I)

SUBJECT: Procedure for Disciplinary Hearings; Fees

Received by Lieutenant Governor February 7, 2012

Referred to Medical Affairs Committee

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn March 8, 2012

**Leave of Absence**

On motion of Senator GROOMS, at 11:05 A.M., Senator CAMPBELL was granted a leave of absence for today.

**CO-SPONSORS ADDED**

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

S. 1319 Sen. Setzler

**CO-SPONSOR REMOVED**

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

S. 604 Sen. Rose

**REPORT RECEIVED**

**REPORT AS TO THE QUALIFICATIONS OF CANDIDATES**

**FOR THE STATE DEPARTMENT OF EMPLOYMENT**

**AND WORKFORCE REVIEW COMMITTEE**

Members of the South Carolina General Assembly

Columbia, South Carolina

Dear Fellow Members:

Enclosed is the Department of Employment and Workforce Review Committee’s (WRC) Report as to Qualifications of Candidates for the Department of Employment and Workforce Appellate Panel (Appellate Panel). The WRC is charged with presenting all qualified candidates to the General Assembly. In accordance with this mandate, the WRC thoroughly reviewed each candidate with respect to his or her suitability for service on the Appellate Panel. The WRC held a public hearing on March 6, 2012, to question and consider the qualifications of the candidates. The video of the hearing, and the applicant questionnaires, may be seen at the web page for the WRC located at: http://www.scstatehouse.gov/video/videofeed.php?KEY=571.

The WRC has ordered the candidates into three classifications: “not qualified”, “qualified” and “highly qualified”. The WRC found all of the candidates in this report capable to serve as an Appellate Panelist. However, based on testimony from the candidates at the March 6 public hearing, the WRC found three of the candidates “highly qualified” to serve as Appellate Panelists.

**Candidates are prohibited from asking for your commitment until 5:00pm, Sunday, March 11, 2012. Members of the General Assembly are not permitted to offer a pledge to vote for a candidate until 5:00pm, Sunday, March 11, 2012. The election will be held at 12:00 noon, Tuesday, April 17th, 2012.** If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Danny Varat, Research Director to the Review Committee at (803) 212-6320, or Andy Fiffick, Counsel to the Review Committee at (803) 734-3015.

Sincerely,

/s/ Senator W. Greg Ryberg

Chairman

Senator Rankin

Senator Setzler

Representative Bingham

Representative McEachern

Representative Horne

Public Members:

David Martin

Richard Jackson

Glenn McCall

**FINDINGS OF FACT**

The WRC began advertising the vacancies on February 3rd, 2012. The WRC received applications from 5 persons. The WRC conducted background investigations of each candidate, including credit, driver’s license, and law enforcement checks. One of the applicants withdrew their name from consideration prior to the publication of this report.

**On March 6, 2012, the WRC found the following candidates “highly qualified” to serve on the South Carolina Department of Employment and Workforce Appellate Panel**:

Evelyn Belicia Ayers

Tim Dangerfield

Stephen Kelly, Jr.

**On March 6, 2012, the WRC found the following candidates “qualified” to serve on the South Carolina Department of Employment and Workforce Appellate Panel**:

Richard S. Thompson

**ADJOURNMENT**

At 1:59 P.M., on motion of Senator LARRY MARTIN, the Senate adjourned to meet tomorrow at 2:00 P.M.

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