**Tuesday, March 20, 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 PRESIDENT.

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

As King David admonished his son, Solomon:

“ ‘Be strong and courageous. Do not be afraid or discouraged’. ”

(I Chronicles 22:13b)

Please, join me as we bow in prayer:

Gracious God, the role of a being leader in this Senate Chamber is not an easy task; that goes without saying. Demands of all sorts, pressures to support this program or that, calls to embrace some group’s position—surely it seems for these Senators that the challenges never end. And, of course, they don’t. That is why, O Lord, we pray that You will grant each of these leaders the strength and courage to hold fast to what they know to be best for our State. Guide them as they guide South Carolina in the direction of progress and of promise. In Your loving name we pray, dear Lord.

Amen.

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

**Point of Quorum**

At 12:10 P.M., Senator RYBERG made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Anderson Bright Bryant

Campbell Cleary Coleman

Courson Cromer Davis

Fair Grooms Hayes

Jackson Knotts Leatherman

Leventis *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson O'Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Williams

A quorum being present, the Senate resumed.

**Recorded Presence**

Senators GREGORY, LAND, CAMPSEN, FORD, ALEXANDER, MALLOY, HUTTO, VERDIN, LOURIE, RANKIN and REESE recorded their presence subsequent to the Call of the Senate.

**Statement by Senator KNOTTS**

I was not in the Chamber when the quorum call was taken as I was attending a subcommittee meeting in the Gressette Building.

**REPORT RECEIVED**

**COMMITTEE TO SCREEN CANDIDATES**

**FOR BOARDS OF TRUSTEES**

**OF STATE COLLEGES AND UNIVERSITIES**

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Thursday, February 2, 2012

1:25 p.m. - 3:40 p.m.

The meeting was conducted on Thursday, February 2, 2012, at the Gressette Building, Room 307, Columbia, South Carolina, before Lisa Garson, 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 C. Alexander

Senator Harvey S. Peeler, Jr.

Senator J. Yancey McGill

Representative George M. Hearn

Representative David J. Mack III

Representative William R. Whitmire

Also Present: Julia Norwood

CANDIDATES:

The Citadel

Two Seats, at-large

Col. Allison Dean Love

Mr. Peter M. McCoy, Sr.

Mr. Lamont Andre’ Melvin

Mr. Jeffrey C. Stevenson

Clemson University

Three Seats, at-large

Dr. Ronald Lee

Dr. Louis B. Lynn

Mr. Robert L. Peeler

Admiral William L. Schachte, Jr.

University of South Carolina

Eight Judicial Circuits

2nd Circuit

Aiken, Bamberg, Barnwell

Mr. Miles Loadholt

4th Circuit

Chesterfield, Darlington, Marlboro, Dillon

Mr. Eugene P. Warr, Jr.

6th Circuit

Chester, Lancaster, Fairfield

Mr. Hubert F. Mobley

8th Circuit

Abbeville, Greenwood, Laurens, Newberry

Mr. A.C. “Bubba” Fennel III

10th Circuit

Anderson and Oconee

Mr. Chuck Allen

14th Circuit

Allendale, Hampton, Colleton, Jasper, Beaufort

Mr. William W. Jones, Jr.

15th Circuit

Georgetown and Horry

Mr. J. Egerton Burroughs

16th Circuit

Union and York

Ms. Leah Bess Moody

Wil Lou Gray Opportunity School

Mrs. Doris Adams

Mr. Bryan England

Mrs. Mary Frances “Frankie” Newman

February 2, 2012, 1:25 p.m.

CHAIRMAN KNOTTS: At this time I’d like to call the Screening Committee to order, and thank you for coming, and thank you for your participation. We’re going to try and get this done as quickly as possible with all the questions that need to be answered by the members of the Committee. At this time, I’ll start on my right and go to my left and let each member introduce themselves.

REPRESENTATIVE HEARN: I’m George Hearn, I represent House District 105, Horry County.

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

REPRESENTATIVE MACK: David Mack III, House District number 9, Charleston County.

SENATOR ALEXANDER: Thomas Alexander, District 1, State Senator, Oconee and the greater Clemson area, Pickens County.

SENATOR McGILL: Yancey McGill, Horry, Georgetown, Florence, Williamsburg -- sometimes it feels like the whole State of South Carolina.

CHAIRMAN KNOTTS: Thank you for being here. To my right is Julia Norwood she is the -- what is your new title, Julia?

MS. NORWOOD: I’m your right hand. I’m Research Director for this Committee.

CHAIRMAN KNOTTS: And she’s done a tremendous job in trying to get this done. And I want to say the Joint Legislative Committee to Screen Candidates for State Colleges and Universities of Boards and Trustees is called pursuant to Chapter 20, Title II, of the South Carolina Code of Laws requiring the review of candidates for non judicial office.

The function of the Committee is not to choose between candidates, but to declare whether or not the candidates who offer seats on the Board of Trustees are qualified to fill the positions that they seek. The inquiry we undertake is a thorough one, and it is centered around evaluated criteria and involves a complete personal and professional background check on each candidate.

The Joint Legislative Committee has received SLED and ten-year driver’s license check, as well as, a complete credit history on all candidates to be screened today. After a thorough review by the Chairman and my staff, we have attempted to correct any major, or possible, infractions or concerns that have been addressed.

Today we will screen candidates for the following boards:

The Citadel, two seats, at-large;

Clemson University, three seats, at-large;

University of South Carolina, Eight Judicial Circuits, uncontested;

Wil Lou Gray Opportunity School, three seats, at-large uncontested.

Swearing in of all candidates to be screened -- if you would, at this time, all the candidates please stand up and raise your right hand.

Do you solemnly swear that the testimony you are about to give this Committee is the truth, the whole truth and nothing but the truth so help you God? (Candidates respond)

CHAIRMAN KNOTTS: Thank you, you may have a seat. Do I have any motions to amend the agenda today to hear the Wil Lou Gray Opportunity School first?

SENATOR McGILL: I so move.

CHAIRMAN KNOTTS: I have a motion to hear the Wil Lou Gray Opportunity School first; we have three vacancies. All three are incumbents and there are three seats at-large. First of all, if you would, Mrs. Doris Adams, if you would come forward.

Please have a seat, Mrs. Adams. For the record, please state your full name and the position you’re seeking, and what school.

MRS. DORIS ADAMS: My name is Doris M. Adams, and I’m seeking a position as a trustee on the Board of Trustees of the Wil Lou Gray Opportunity School.

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

MRS. DORIS ADAMS: No.

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?

MRS. DORIS ADAMS: No.

CHAIRMAN KNOTTS: If your seat is determined by Congressional District or Judicial Circuit, do you reside at the address on your driver’s license, your voter registration, and property tax residency statement on a full-time basis?

MRS. DORIS ADAMS: Yes.

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

MRS. DORIS ADAMS: Yes.

CHAIRMAN KNOTTS: Please explain how you feel your professional experience, thus far, will assist you to be an effective board member?

MRS. DORIS ADAMS: Well, first of all, I’d like to say that I’ve already served on the board for four years, and that has been wonderful. And it has really helped me a whole lot, and I think it will even make me better the next four years. And also, I’d like to say, the last time we were last, so thank you for making us first this time.

CHAIRMAN KNOTTS: You’ve made progress.

MRS. DORIS ADAMS: Of course, I’m an educator and I’m still working. I’m on a foundation also, and we provide scholarships for students, and students just have been the love of my love for a long time. I enjoy teaching and I enjoy working with students and I enjoy seeing them being successful whenever they encounter problems.

CHAIRMAN KNOTTS: Are there any areas that you think you would need to prepare yourself in order to serve as a board member at this time? Any other areas that you feel would help you be a better board member?

MRS. DORIS ADAMS: No, I can’t think of any other areas.

CHAIRMAN KNOTTS: What do you think the requirements for a board member on the Wil Lou Gray Opportunity School is, and do you fit those requirements?

MRS. DORIS ADAMS: First of all, you have to be interested in the well-being of our young people, and I’m certainly interested in that, especially when they encounter difficulties and they have to make changes and they have to make choices. And this is an area that will help me to help young people be successful.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non judicial screening in election that is in Section 2-20-10 through 2-20-70?

MRS. DORIS ADAMS: I received that.

CHAIRMAN KNOTTS: You received that today?

MRS. DORIS ADAMS: Yes.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MRS. DORIS ADAMS: No.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

MRS. DORIS ADAMS: No.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MRS. DORIS ADAMS: No.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MRS. DORIS ADAMS: No.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MRS. DORIS ADAMS: Yes.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MRS. DORIS ADAMS: Yes.

CHAIRMAN KNOTTS: At this time, I’d like for you to briefly tell us why you want to continue serving on the Wil Lou Gray School?

MRS. DORIS ADAMS: All right. I’m going to go ahead and read my statement why I wish to serve on the Wil Lou Gray Opportunity School Board. First of all, I would like to acknowledge the current trustees of the Wil Lou Gray Opportunity School Board for their dedicated service in helping to provide the opportunity for students to overcome their stumbling blocks, thus, moving on to become productive, contributing citizens. As an educator, it is always rewarding to see students advance in their pursuits and making sound, valid decisions in their career choices. It is an inspiration to me to help the students along the road to success. I have worked closely with students, parents, teachers, and business associates in assisting many students on the road to become responsible citizens. Presently, I work with students at the Fort Jackson School System; assist middle and high school students in preparing for the SAT and ACT tests; and serve as an active member of the Tutorial Ministry of my church, and also work on the Richland Northeast Foundation. I’m seeking re-election to the Wil Lou Gray Opportunity School Board because I firmly believe that every child and/or student deserves the opportunity to become a responsible productive citizen to society.

CHAIRMAN KNOTTS: Members of the committee --

SENATOR PEELER: Mr. Chairman, I’ve heard enough. We’re very fortunate to have a lady like this serve, and I move for a favorable report.

SENATOR ALEXANDER: One clarification, Mr. Chairman.

CHAIRMAN KNOTTS: Yes, sir.

SENATOR ALEXANDER: You don’t have any other elected office?

MRS. DORIS ADAMS: No.

CHAIRMAN KNOTTS: I’d like to say from the Committee’s point of view, we have absolutely no infractions, or problems with her credit, driving record, or liens, or anything like that; and I have all the information if any one of you would like to see it. Are there any other questions from the Committee? Do I have a motion for favorable report?

SENATOR PEELER: Favorable Report.

CHAIRMAN KNOTTS: Second?

SENATOR McGILL: Second.

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: Okay. Thank you, Ms. Adams for your service. What’s the next one; Mr. England? Will you state your name for the record, please?

MR. ENGLAND: Bryan B. England, Junior.

CHAIRMAN KNOTTS: Do you have any interest in the position you are seeking?

MR. ENGLAND: Yes, sir, I want to serve on the Board. Do I have any conflict of interest? I do not.

CHAIRMAN KNOTTS: What Board do you want to serve on?

MR. ENGLAND: I want to serve on the Wil Lou Gray Opportunity School Board.

CHAIRMAN KNOTTS: I just want to make sure that when you apply for a Board that you know which Board you are, not that you just want to serve on a Board. Do you have any interests, professionally or personally, that would present a conflict of interest because of your service on the Board?

MR. ENGLAND: No, I do not.

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. ENGLAND: No, sir.

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. ENGLAND: I do.

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

MR. ENGLAND: I do.

CHAIRMAN KNOTTS: Please explain how you feel your professional experience, thus far, will assist you to be an effective Board member.

MR. ENGLAND: I’ve been a public school teacher, I’ve worked in a children’s home; I’ve worked for the State Technical Educational System for 32 years; my father was a probation officer. I’ve been around young people Terrell Hall For Boys. I’ve been around young people all my life, trying to encourage them, that’s what I’ve spent my life doing.

CHAIRMAN KNOTTS: Are there any areas that you would need to prepare yourself for in order to serve as a Board member and how would you handle the additional preparation?

MR. ENGLAND: No, I do not.

CHAIRMAN KNOTTS: What do you think the requirements for a board member are?

MR. ENGLAND: I think you have to have a passion for the school that you are serving on; I think you have to believe in what they’re about, and how the monies that the State puts into this system, how it’s spent, and the monies that are needed; and that’s number one. I just believe in why Wil Lou Gray is there, and I think that you have to have a passion for their purpose and want to serve their goals.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. ENGLAND: Yes.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any Legislator prior to this date?

MR. ENGLAND: No, I have not.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

MR. ENGLAND: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MR. ENGLAND: No, I have not.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MR. ENGLAND: I have not.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MR. ENGLAND: Yes, sir.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MR. ENGLAND: Yes, sir.

CHAIRMAN KNOTTS: Thank you. Any questions from the Committee?

SENATOR McGILL: Mr. Chairman, are we ready for a Motion for favorable?

CHAIRMAN KNOTTS: If there’s no more questions, yes, sir.

SENATOR McGILL: Move for favorable.

SENATOR PEELER: Second.

CHAIRMAN KNOTTS: I have a motion to move forward for favorable and a second. All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: All opposed? (No response)

CHAIRMAN KNOTTS: Thank you for your service, sir.

MR. ENGLAND: Thank you.

CHAIRMAN KNOTTS: Mrs. Mary Frances Newman -- we have the director from Wil Lou Gray present here and I understand she is not present, can you give us a reason?

MR. SMITH: Senator, she called, she had some sort of a medical condition that required a procedure done. She told me she could not be here today, and they contacted your right hand there to tell the same thing.

CHAIRMAN KNOTTS: Can you tell us why she could not be here for screening?

MS. NORWOOD: Any time after this week. She had surgery yesterday, Senator. She’d be happy to meet any other time.

CHAIRMAN KNOTTS: Do we have any other people that were not able to come today? (No response)

CHAIRMAN KNOTTS: She’s the only person on any Committee?

MS. NORWOOD: I believe so.

CHAIRMAN KNOTTS: Would it be the pleasure of the Committee to meet again just for the sole purpose of her screening and calling the court reporter back and everything? What is the pleasure of the Committee?

SENATOR McGILL: You want us to give a favorable report?

CHAIRMAN KNOTTS: Well, y’all have her paperwork in front of you and there is no infraction, or anything, but any member of the Committee wish to make a motion to waive her presence?

SENATOR McGILL: Mr. Chairman, I would make a motion in light of the fact that there’s no infractions and a perfect record; I would move that we waive the process of coming before the Committee and approve her.

CHAIRMAN KNOTTS: Would you also agree that she’s been screened several times before this Committee in the past?

SENATOR McGILL: Yes, I would include that in the motion.

REPRESENTATIVE HEARN: Second.

CHAIRMAN KNOTTS: I have a motion to waive her presence and I have a second due to the fact she’s been waived before. Yes, sir, Senator?

SENATOR PEELER: Have we done this before or is this setting a precedence; I was curious if we’ve allowed screening to go forward without the person being present?

CHAIRMAN KNOTTS: I don’t recall doing it before, that’s the reason that I wanted to bring it before the Committee because I’m not going to take the privilege of being Chairman and waiving people. This is an important position, they need to be screened. I don’t want any member to screen a person and not have the opportunity to question them if they have any questions. And if any member here feels that she needs to be screened, I’ll certainly recall the Committee to do it.

SENATOR PEELER: Mr. Chairman, I don’t have any. You say she has been screened several times before?

CHAIRMAN KNOTTS: Yes, sir. How many years has she served?

MR. SMITH: She’s served four or five times.

CHAIRMAN KNOTTS: I personally know her and I know that she --

SENATOR PEELER: Mr. Chairman, if you’re comfortable, I am.

SENATOR ALEXANDER: Mr. Chairman, I don’t have a problem in this one instance, but I don’t want this to become the standard, but I certainly will accommodate this time.

CHAIRMAN KNOTTS: That’s the reason that I want to bring it to your attention. We don’t want to set a precedence for somebody to say I have a medical condition and is not going to be screened. We want people screened before this Committee. I have a motion and a second that her appearance be waived, and this is a one-time only, because of a medical condition. Evidently it must have came up recently, because I saw her about a week ago and she was looking forward to coming before the Committee. So I have a motion and a second, any further discussion? (No response)

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: Do I have a motion for her as a favorable report?

REPRESENTATIVE HEARN: So moved.

CHAIRMAN KNOTTS: Do I have a second?

SENATOR McGILL: Second.

CHAIRMAN KNOTTS: I have a motion for second. All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: Thank you. That completes the Wil Lou Gray Opportunity School, and we’ll now go back to the Citadel Board. I call the following person, Colonel Allison Dean Love. Ms. Love, if you would come, please, have a seat; you were sworn in earlier?

COLONEL LOVE: Yes, sir.

CHAIRMAN KNOTTS: For the record, please state your full name and the position that you are seeking.

COLONEL LOVE: Allison Dean Love, at-large seat on the Citadel Board of Visitors.

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

COLONEL LOVE: No.

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?

COLONEL LOVE: No, sir.

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?

COLONEL LOVE: The Citadel Board seats are at-large seats, sir, but I do reside at the address on my driver’s license.

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

COLONEL LOVE: Yes, sir.

CHAIRMAN KNOTTS: Please explain how you feel your professional experience, thus far, will assist you to be an effective board member -- you have been screened before, so I think we all know you.

COLONEL LOVE: I have served on the Citadel Board of Visitors for 15 years, I began serving in 1997 when I was appointed as an advisory member and I was elected by the General Assembly in 2000 as the first and only graduate of the Citadel Graduate College; and I currently serve as the Chair of the Education Committee and serve on several other committees; and I’ve been a member of the Alumni Association, the Brigadier Foundation. I’m very active with the Citadel Foundation, and I’ve also served on the Board of the Low Country Graduate Center for 10 years. And professionally, I’m a public relations and communications consultant and I have a background in loss prevention and risk management in the insurance industry, so I think those are key skills that are necessary on the Citadel Board.

CHAIRMAN KNOTTS: Are there any areas that you would need to prepare yourself for in order to serve as a board member and how would you handle the additional preparation?

COLONEL LOVE: You know, I believe in continuous improvement, and I serve as the Chair of the ad hoc Committee for the Citadel Board on Board Development, so I’ve done quite a lot of research in the last six months or so, and I think it’s always good for all of us that serve on all the boards for the colleges and universities in South Carolina to know what the best practices are around the State as well as around the nation and by reading various publications of higher education and studying and finding out what other colleges do, so I believe in continuous improvement and I will continue to do that.

CHAIRMAN KNOTTS: What do you think requirements for Board members should be?

COLONEL LOVE: For a Citadel Board Member you must live in the State of South Carolina and be a graduate of the Citadel. But I believe it’s important when you’re serving on a board of this type, that you have experience, other board governance experience and other board background; so I have done that, sir, as well.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

COLONEL LOVE: I received that today, I have not read all of this, but I did receive it today.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

COLONEL LOVE: I have not sought the pledge of any legislator. I’ve had a few legislators who have known me for many years tell me to come back and see them at the appropriate time.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

COLONEL LOVE: Probably the same answer as before. I’ve not sought any pledges or support, but I’ve been told to come back and see them at the appropriate time after the screening.

CHAIRMAN KNOTTS: Just a general comment from them?

COLONEL LOVE: Yes, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

COLONEL LOVE: I’ve had a number of different people offer to do so, and I’ve made it extremely clear to them what the rules are, that they cannot ask for a commitment on my behalf, or ask anyone to vote for me at this time, until after the report is released.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

COLONEL LOVE: I’ve probably talked with just about every one of you at some point or another.

CHAIRMAN KNOTTS: I’m talking about concerning your re-appointment to the Citadel.

COLONEL LOVE: I think everyone is aware of my being here for re-election, but I’ve not sought any pledge from anyone.

CHAIRMAN KNOTTS: Do you understand that you’re prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

COLONEL LOVE: Yes, sir.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

COLONEL LOVE: Yes, sir.

CHAIRMAN KNOTTS: Any concerns with this candidate has been looked into, and we have no concerns with her. Any questions from the Committee, please?

SENATOR McGILL: Mr. Chairman, move for favorable.

CHAIRMAN KNOTTS: I have a Motion for Favorable Report; do I have a second?

SENATOR PEELER: Second.

CHAIRMAN KNOTTS: Any discussion? (No response)

CHAIRMAN KNOTTS: No discussion. All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: All opposed? (No response)

CHAIRMAN KNOTTS: Thank you. And I would like to state for the record, she’s been screened before.

COLONEL LOVE: Thank you.

CHAIRMAN KNOTTS: Next is Mr. Peter M. McCoy, Senior. Please have a seat and state your full name, for the record, and the position you’re seeking.

MR. McCOY: Peter Michael McCoy, Senior; and I’m seeking the position as a candidate for the Board of Visitors at the Citadel, at-large seat.

CHAIRMAN KNOTTS: Do you have any interest professionally or personally that would present a conflict of interest because of your service on the Board?

MR. McCOY: 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. McCOY: No, sir.

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 -- I know it’s at-large.

MR. McCOY: I do reside at the address on my license.

CHAIRMAN KNOTTS: Do you understand that you’re prohibiting from seeking a commitment until 48-hours after the release of the Committee’s report?

MR. McCOY: Yes, sir.

CHAIRMAN KNOTTS: Please, briefly, explain how you feel your professional experience, thus far, will assist you in being an effective board member.

MR. McCOY: Even prior to my professional experience, I was a Cadet, and I understand that system, that’s going to help me a lot. But I was a school teacher when I first left the Citadel, and working with youngsters, and helping them move forward in their lives. But I’ve been in the manufacturing world with Sunoco products, I’ve managed their plants, operated their budgets, and held sales territories that have high budget numbers.

CHAIRMAN KNOTTS: What do you think the requirements for a board member should be?

MR. McCOY: Number one, you need a willingness to serve, you have to be a good listener. I think that you have to have a knowledge of budgets, and be able to hold to those budgets. You have to be able to work with the Citadel administration, and also with the State Legislature.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. McCOY: Mr. Chairman, I was given a copy of that today.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MR. McCOY: No, sir.

CHAIRMAN KNOTTS: Have you sought or have you been offered any conditional pledge of support of any legislator pending the outcome of your screening?

MR. McCOY: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact any members of the General Assembly on your behalf?

MR. McCOY: I have not.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MR. McCOY: I met Mr. Hearn on the elevator today.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after formal release of the Committee’s report which is published in the House and Senate Journals?

MR. McCOY: I do.

CHAIRMAN KNOTTS: Have you reviewed the Committees Guidelines on Pledging?

MR. McCOY: Yes, sir.

CHAIRMAN KNOTTS: Thank you, very much. Any members of the Committee have a question?

SENATOR ALEXANDER: Motion for favorable report.

SENATOR McGILL: Motion for favorable report.

SENATOR PEELER: Second.

CHAIRMAN KNOTTS: I have a motion for favorable report and a second. Any discussion? (No response)

CHAIRMAN KNOTTS: No discussion. All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: Thank you.

SENATOR ALEXANDER: Mr. Chairman, as the others come up, is it my understanding that their record, or they’re comments that are in our packet will be provided in the record, is that correct?

CHAIRMAN KNOTTS: I don’t believe we have hers.

SENATOR ALEXANDER: I would move that, in a blanket, if someone provides a written statement, rather than them reading their testimony that it be provided in the record, if that would be appropriate.

CHAIRMAN KNOTTS: Any other discussion about that from the members of the Committee? (No response)

CHAIRMAN KNOTTS: All in favor of that say “Aye”. (Response)

CHAIRMAN KNOTTS: So any of you that have a statement that you would like to present for your record here, just provide it and that will help us with time. And you will provide it to staff. Next is Lamont Andre’ Melvin. Mr. Melvin, please come forward. Have a seat, please, welcome.

MR. MELVIN: Thank you.

CHAIRMAN KNOTTS: Please state your name and the position you’re seeking.

MR. MELVIN: Lamont Andre’ Melvin, the Citadel Board of Visitors, at-large seat.

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

MR. MELVIN: No, sir, I do not.

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. MELVIN: No, sir, I do not.

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. MELVIN: This is an at-large position, but I do reside full-time at the residence on my driver’s license.

CHAIRMAN KNOTTS: For the purpose of this question, make sure you do live in the State of South Carolina.

MR. MELVIN: Yes, sir.

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

MR. MELVIN: I do.

CHAIRMAN KNOTTS: Please explain how you feel your professional experience, thus far, will assist you to be an effective board member?

MR. MELVIN: As a former leader in the Core of Cadets and an Army Veteran, a leader in corporate America, I’ve been in the pharmaceutical industry for 18 years and I’m responsible for the Eastern U.S. I’m also a Ph.D. candidate at the University of South Carolina, so I think I have both the business and academic credentials to go with the position.

CHAIRMAN KNOTTS: Thank you. Are there any areas that you would need to prepare yourself for in order to serve as a Board member, and how would you handle the additional preparation?

MR. MELVIN: Not at this time, sir.

CHAIRMAN KNOTTS: What do you think the requirements of a Board member are?

MR. MELVIN: Live in the State of South Carolina, also be a Citadel graduate, and have a good business sense. We are dealing with budgets, running a school is a business and also to have a heart for the students.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. MELVIN: I just received this today.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any Legislator prior to this date?

MR. MELVIN: I have not.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of the screening?

MR. MELVIN: I have not.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

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

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MR. MELVIN: Only for introductory purpose. (Representative Whitmire enters proceedings)

CHAIRMAN KNOTTS: That was meeting with me, right?

MR. MELVIN: Yes.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MR. MELVIN: Yes, sir, I’m aware.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MR. MELVIN: I have not, but I will.

CHAIRMAN KNOTTS: Thank you. Members of the Committee, any questions?

SENATOR McGILL: Mr. Chairman, move for favorable.

SENATOR ALEXANDER: Second.

CHAIRMAN KNOTTS: I have a motion for favorable report and a second. Any discussions? (No response)

CHAIRMAN KNOTTS: No discussions. All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: Thank you. Next is Mr. Jeffrey Stevenson. Have a seat, Mr. Stevenson. For the record, state your full name and the position you’re seeking.

MR. STEVENSON: Jeffery Cooper Stevenson, seeking at-large seat, Board of Visitors.

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

MR. STEVENSON: 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. STEVENSON: No, sir.

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. STEVENSON: I do.

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

MR. STEVENSON: I do.

CHAIRMAN KNOTTS: Please explain how you feel your professional experience thus far will assist you to be an effective Board member.

MR. STEVENSON: Sir, I’ve served in the public government for many years, both as a Naval officer, as a Naval civilian, with the FBI, being a leader of men, good stewards health and wealth fare, as well as, good stewards of the taxpayer’s money. Currently, Google, I’m their deployment program manager globally, so I understand the corporate side of being able to turn a profit while managing budgets in the billions of dollars. Additionally, I have a lot of experience in the Low Country as an executive steering committee member of the Low Country Stone Collaborative. I sit on the board of directors for the Foundation of the Governor’s School of Science and Mathematics, Berkeley County School District Improvement Committee, the Citadel’s Joint Advisory Committee for their Computer Science Department, as well as, a non-profit, known as Working Warriors Wounded Nature.

CHAIRMAN KNOTTS: Are there any areas that you feel you would need to prepare yourself for in order to serve as a Board member?

MR. STEVENSON: No, sir. I’m familiar with the Citadel Commission and its strategic plan, and have worked in the past few years with Citadel administration on that, executing that strategic plan.

CHAIRMAN KNOTTS: What do you think requirements for a Board member should be?

MR. STEVENSON: First, as my other colleagues have said, be a South Carolinian, live in South Carolina. Be a Citadel graduate. But then, you also have to have a passion for the school; you have to have an ability to give your leadership without personal agenda to the school so that you can represent its interests and the interest of the State. And finally, you have to have the ability to make difficult decisions, even if they’re unpopular. If they are the correct decision in the best interest of what needs to be done, then you have to be able to stand up and make that decision.

CHAIRMAN KNOTTS: Will you elaborate a little further on why you should have to be a Citadel graduate? Do you think people out there that aren’t graduates from the Citadel can’t serve on the Board?

MR. STEVENSON: I think that if you’re not a Citadel graduate you don’t have as close a tie to the Citadel. You don’t have quite as deep an understanding of where the school is coming from; and I believe that we don’t need to necessarily do away with that existing requirement because there are plenty of qualified candidates.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. STEVENSON: I am.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MR. STEVENSON: No, I have not.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

MR. STEVENSON: No.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MR. STEVENSON: No, I have not.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MR. STEVENSON: No, I have not.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MR. STEVENSON: I do.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MR. STEVENSON: I have.

CHAIRMAN KNOTTS: Any questions from the Committee? (No response)

CHAIRMAN KNOTTS: What is the pleasure of the Committee?

REPRESENTATIVE HEARN: Move for favorable.

SENATOR McGILL: Second.

CHAIRMAN KNOTTS: Do I have any discussion? (No response)

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: Let it be known that you have a favorable report. Thank you for your willingness to serve. That completes the Citadel Board. We’ll now move to Clemson University. First of all, Dr. Ronald Lee. Dr. Lee, if you would, state your full name for the record and the position that you’re seeking.

DR. LEE: My name is Ronnie Lee from Aiken, South Carolina, and I’m a candidate for the Clemson Board of Trustees, all seats are at-large seats. (Representative Brady enters)

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

DR. LEE: 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?

DR. LEE: No, sir.

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?

DR. LEE: I do.

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

DR. LEE: I do.

CHAIRMAN KNOTTS: Please explain how you feel your professional experience, thus far, will assist you to be an effective board member?

DR. LEE: Well, certainly, the past two years I’ve served on the Board have been invaluable to me. Also, I’m a small business owner, have degrees from undergraduate school, graduate school, professional school, which shows you my passion for education. So I think that those experiences are invaluable. Also, remember, I’m a dentist so I have pretty thick skin, I see 30 to 40 patients a day who really don’t like me. You have to be used to taking a hit.

CHAIRMAN KNOTTS: You certainly get used to them Carolina fans, don’t you?

DR. LEE: Yeah, I have about 70 reasons.

CHAIRMAN KNOTTS: Are there any areas that you would need to prepare yourself for in order to serve as a board member?

DR. LEE: No, sir.

CHAIRMAN KNOTTS: What do you think the requirements for a Board member should be?

DR. LEE: I think the most important thing is to have a passion for education, a passion for students, and mainly a desire to work. I certainly -- back to the football analogy -- would consider myself a two-star recruit with a good work ethic. Mainly, someone that just wants to be there and is willing to work and willing to listen, and is available and accessible to the students and parents and to you Legislators who put us there.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

DR. LEE: Yes, sir.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

DR. LEE: No, sir.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

DR. LEE: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

DR. LEE: No, sir.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

DR. LEE: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

DR. LEE: Yes, sir.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

DR. LEE: I have.

CHAIRMAN KNOTTS: Members of the Committee, Dr. Lee has been screened before and is an incumbent.

REPRESENTATIVE HEARN: Move for favorable report.

CHAIRMAN KNOTTS: And questions prior to that? (No response)

SENATOR PEELER: Second.

CHAIRMAN KNOTTS: Okay. I have a motion for a favorable report and a second, any discussion? (No response)

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: All opposed? (No response)

CHAIRMAN KNOTTS: Thank you for your willingness to serve, Dr. Lee.

DR. LEE: Thank you.

CHAIRMAN KNOTTS: Dr. Louis Lynn. At this time I would ask the committee go into Executive Session briefly to clear up a matter. (Off the record, Executive Session)

CHAIRMAN KNOTTS: For the record, Dr. Lynn, please state your full name and the position you’re seeking.

DR. LYNN: My name is Louis Bernard Lynn and I’m seeking an at-large seat on the Clemson Board of Trustees.

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

DR. LYNN: 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?

DR. LYNN: No, sir. I do sit on the State Work Force Investment Board, appointed by the last Governor and this Governor, but it’s been cleared by the Ethics Commission.

CHAIRMAN KNOTTS: Ethnic Commission has cleared it?

DR. LYNN: Yes, sir, I guess I’ve served through -- it’s my sixth term.

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?

DR. LYNN: Yes, sir, I do.

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

DR. LYNN: Yes, sir, I do.

CHAIRMAN KNOTTS: Please explain how you feel your professional experience, thus far, will assist you to be an effective board member?

DR. LYNN: Mr. Chairman, at the end of this term I will have served six terms, 24 years, since 1988. I’m an adjunct professor of horticulture, so I give my professional talent back to Clemson. I’ve served, in my 24 years, I’ve served in every position except chairman and we have three graduations a year, so since I’ve been on the board we’ve had 71 graduations, and I think that’s what we’re in business for. I’ve missed three, one was for Hugo, one was for my grandfather’s death, and the other was for another family issue, so I believe we need to be there. As far as boards, I’ve served on the state chamber, and local chamber, I’m currently the only South Carolinian on the National Board of BB&T Bank.

CHAIRMAN KNOTTS: Are there any areas that you would need to prepare yourself for in order to serve as a board member and how would you handle the additional preparation?

DR. LYNN: No, sir, just sharpening skills after 24 years.

CHAIRMAN KNOTTS: What do you think the requirements for a board member are?

DR. LYNN: I think the Board member must have knowledge of his university, must have love of his university. To me, Clemson is a labor of love, and they must give of their time, of their talent, and their resources.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

DR. LYNN: Yes, sir.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

DR. LYNN: No, sir.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

DR. LYNN: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

DR. LYNN: No, sir.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

DR. LYNN: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

DR. LYNN: Yes, sir.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

DR. LYNN: Yes, sir.

CHAIRMAN KNOTTS: Members of the Committee, any questions?

SENATOR McGILL: Move for favorable report.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: We have a motion for favorable report and a second. Any discussion? (No response)

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: All opposed? (No response)

CHAIRMAN KNOTTS: Thank you for your willingness to serve. Next is Mr. Robert L. Peeler. Bob, would you please state your full name for the record.

MR. PEELER: Robert Lee Peeler, and I reside in Lexington.

CHAIRMAN KNOTTS: You’re seeking a position on the --

MR. PEELER: Seeking an at-large position, re-election to the Clemson University Board of Trustees.

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

MR. PEELER: 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. PEELER: No, sir.

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. PEELER: I do.

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

MR. PEELER: Yes, sir.

CHAIRMAN KNOTTS: Please explain how you feel your professional experience, thus far, will assist you to be an effective board member?

MR. PEELER: I’m proud to say I grew up in agriculture, I grew up in Gaffney, and served as Chairman of the School Board in Cherokee County and also as Chairman of the State Board of Education, as President of the South Carolina Dairy Association. And I think I have a varied background that I bring to the Clemson board, and I think that’s a good thing. I currently serve as Vice-Chairman of the Clemson Board of Trustees, and Chairman of the Agriculture and Natural Resources Committee.

CHAIRMAN KNOTTS: Are there any areas that you would need to prepare yourself for in order to serve as a board member and how would you handle the additional preparation?

MR. PEELER: No, sir.

CHAIRMAN KNOTTS: What do you think the main requirements for board member should be?

MR. PEELER: I think you should love people; I love people and I love Clemson and I love South Carolina. And I care especially about working families in South Carolina and you all were kind of enough to elect me to an open seat to Clemson Board of Trustees in 2003, and they’ve re-elected me twice since then. And I think when Thomas Green Clemson set up his Will that there be seven life trustees and six elected trustees, of my which I am one, I’m fully aware of the fact that I represent you and the people of South Carolina on the Clemson Board of Trustees.

CHAIRMAN KNOTTS: Is your skin as thick as Dr. Lee’s?

MR. PEELER: I think it is. I think growing up in the milk business is one thing. My brother Harvey told me -- my twin brother Bill and I, our 60th birthday was January 4th, the day of the Orange Bowl. Harvey told me that after 60 don’t let anybody fool you, that it goes downhill after that, but I didn’t realize it was going to go downhill that quickly. My daughter Caroline graduated from Clemson, my son Robert is a senior, and will graduate in August from Clemson. My brother Harvey graduated from Clemson, my brother Bill did and my sister Susan did. We’re a proud Clemson family and I’m honored to be able to serve. And I thank you for allowing me to do that.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. PEELER: Yes, sir.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MR. PEELER: No, sir.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

MR. PEELER: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MR. PEELER: No, sir.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MR. PEELER: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MR. PEELER: Yes, sir.

CHAIRMAN KNOTTS: Have you reviewed Committee’s Guidelines on Pledging?

MR. PEELER: I have.

CHAIRMAN KNOTTS: Have you been caught doing 33 in a 70?

MR. PEELER: No, sir, and I’m also aware that I just got a bulletin that West Virginia just scored again. And Clemson took a bus home because they were afraid to risk another touchdown. I’ve heard most of them.

CHAIRMAN KNOTTS: Thank you. Any questions from the Committee?

SENATOR ALEXANDER: Mr. Chairman, I’ve got a comment.

CHAIRMAN KNOTTS: Yes, sir.

SENATOR ALEXANDER: I ran in -- he was mentioning his family being Clemson graduates and one getting ready to be a graduate, as I understand, his son Robert is getting ready to graduate in August. I saw Robert recently and I encouraged him to not make it this August, but maybe two or three years down the road, enjoy that experience as long as he could.

MR. PEELER: Thank you, I appreciate that.

SENATOR ALEXANDER: Keep in school as long as he can, keep the money coming to Clemson.

MR. PEELER: He loves to hear his Uncle Harvey’s stories.

SENATOR ALEXANDER: Maybe his brother will want to make a recommendation and I will second it.

REPRESENTATIVE HEARN: I move for favorable report.

SENATOR McGILL: I will second it.

CHAIRMAN KNOTTS: Any discussion? (No response)

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: All opposed. (No response)

CHAIRMAN KNOTTS: Thank you. And you have a favorable report, and thank you for being my -- living in my County, and used to be my constituent until redistricting. Okay. Admiral William L. Schachte.

ADMIRAL SCHACHTE: Thank you, and I’m a candidate for the Clemson University at-large Board of Trustees.

CHAIRMAN KNOTTS: State your full name.

ADMIRAL SCHACHTE: Retired William L. Schachte, Jr.

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

ADMIRAL SCHACHTE: 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?

ADMIRAL SCHACHTE: No, sir.

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?

ADMIRAL SCHACHTE: Yes, sir, I do.

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

ADMIRAL SCHACHTE: Yes, sir, I do.

CHAIRMAN KNOTTS: Please explain how you feel your professional experience, thus far, will assist you to be an effective board member?

ADMIRAL SCHACHTE: Thank you, sir. I think basically my - pretty much my entire Navy experience, particularly serving five years as an Admiral with major commands, working with very restricted budgets. When I ran NCIS, we had a segment of our budget that was also classified for counter espionage and those kinds of matters, and I was responsible to two committees in Congress, the House Senate Select Committee on Intelligence and the Senate Select Committee on Intelligence, both for the appropriation of funds and for the operations that we wanted to undertake worldwide in concert with the CIA. When I was the Deputy Jag I was responsible for all of the offices and about 1,100 attorneys that comprised the Navy Jag Corp at that time. Also, over my ten years in the Pentagon, I had various assignments. Additionally, I served on USBA Board of Directors subsequent to my retirement. And I might add, I don’t think it’s applicable but my days in combat as a junior officer, as a skipper of a Swift boat in Vietnam, as far as leadership is concerned.

CHAIRMAN KNOTTS: Are there any areas that you would need to prepare by yourself for in order to serve as a board member and how would you handle the additional preparation?

ADMIRAL SCHACHTE: No, sir not at this time.

CHAIRMAN KNOTTS: What do you think the requirements for a board member are?

ADMIRAL SCHACHTE: Well, first of all, I’d like to state that this is a distinct honor to have the potential opportunity to serve. I think one of the basic requirements, and my colleagues have already mentioned these things, number one is a love for Clemson, or the University to which we’re seeking. My grandfather was a member of the Class of ‘07, my dad was ‘34, I was ‘63, and my eldest son was Class ‘89. Interestingly, each of us is named William Leon Schachte. I think a passion and a love for students, the University and a commitment to work, do what’s best for the students, for the State, and for the members of the legislature, I think are the basic requirements.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

ADMIRAL SCHACHTE: Yes, sir, basically, like my other colleagues, I got it today and read it quickly.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

ADMIRAL SCHACHTE: No, sir.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

ADMIRAL SCHACHTE: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

ADMIRAL SCHACHTE: No, sir.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

ADMIRAL SCHACHTE: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

ADMIRAL SCHACHTE: Yes, sir, I do.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

ADMIRAL SCHACHTE: Yes, sir, I have.

CHAIRMAN KNOTTS: Any questions from the Committee? (No response)

CHAIRMAN KNOTTS: No questions from the committee. Do I have a motion?

SENATOR ALEXANDER: I move for favorable.

CHAIRMAN KNOTTS: I have a motion for favorable report, do I have a second?

REPRESENTATIVE BRADY: Second.

CHAIRMAN KNOTTS: Okay. Any discussion? (No response)

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: All opposed? (No response)

CHAIRMAN KNOTTS: Thank you for your willingness to serve. For the information of the Committee, Mrs. Louise “Weesie” Whitmore Poole withdrew, she had applied for a seat and she withdrew with a letter on 1-18-12. Thank you.

Next, we’ll go to the University of South Carolina, 2nd Circuit, Mr. Miles Loadholt. Mr. Loadholt, please state your name for the record.

MR. LOADHOLT: Miles Loadholt seeking the Trusteeship for the University of South Carolina 2nd Judicial Circuit for Aiken, Bamberg and Barnwell County. (Representative Mack exits Chambers)

CHAIRMAN KNOTTS: For the purpose of the Committee we’ve looked at Mr. Loadholt, he’s been screened several times and there’s been no changes in any of his previous screenings and no concerns that was found. His concerns for staying on the Board is the same as it was the last time and I’ll just skip the first part if it’s okay with the Committee. Any objection to that, and just ask him the questions of commitment?

SENATOR PEELER: I make a motion to go forward.

REPRESENTATIVE HEARN: Second.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. LOADHOLT: Yes, sir.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MR. LOADHOLT: No, sir.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

MR. LOADHOLT: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MR. LOADHOLT: No, sir.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MR. LOADHOLT: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MR. LOADHOLT: Yes, sir.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MR. LOADHOLT: Yes.

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. LOADHOLT: Yes, sir.

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

MR. LOADHOLT: No, sir.

CHAIRMAN KNOTTS: I have no other questions. Any question from the Committee?

SENATOR McGILL: Move for a favorable.

REPRESENTATIVE HEARN: Second.

CHAIRMAN KNOTTS: I have a motion for favorable and a second for favorable. Any discussion? (No response)

CHAIRMAN KNOTTS: Any discussion? (No response)

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: All opposed. (No response)

CHAIRMAN KNOTTS: Thank you, Mr. Loadholt, for serving again. There are no other applicants in that 2nd Circuit. The 4th Circuit is the same set of circumstances, as Mr. Eugene P. Warr. Mr. Warr, come forward, please.

MR. WARR: Thank you, sir.

CHAIRMAN KNOTTS: If we could go into Executive Session for one question, please. (Off the record, Executive Session)

CHAIRMAN KNOTTS: If you would, please state your full name and the position for which you are seeking.

MR. WARR: 4th Judicial Circuit University of South Carolina.

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

MR. WARR: 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. WARR: No, sir.

CHAIRMAN KNOTTS: You’ve been screened before this committee?

MR. WARR: This will be the fourth time.

CHAIRMAN KNOTTS: Has there been any changes since the last screening?

MR. WARR: No, sir.

CHAIRMAN KNOTTS: Do you reside at the address on your driver’s license, voter registration, and property tax residency statement on a full time basis?

MR. WARR: Yes, sir.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. WARR: Yes, sir.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MR. WARR: No, sir.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

MR. WARR: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MR. WARR: No, sir.

CHAIRMAN KNOTTS: Have you contacted members of the Commission?

MR. WARR: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate?

MR. WARR: Yes, sir.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MR. WARR: Yes, sir.

CHAIRMAN KNOTTS: Is there any question from the Committee? (No response)

SENATOR McGILL: Move for favorable report.

CHAIRMAN KNOTTS: Do I have a second?

REPRESENTATIVE HEARN: Second.

CHAIRMAN KNOTTS: All in favor say “Aye. (Response)

CHAIRMAN KNOTTS: All opposed? (No response)

CHAIRMAN KNOTTS: Thank you for your willingness to serve. There’s no other candidates in that circuit. 6th Circuit seat, Mr. Hubert F. Mobley. Mr. Mobley, please state your name for the record.

MR. MOBLEY: Hubert F. Mobley.

CHAIRMAN KNOTTS: The position you’re seeking?

MR. MOBLEY: 6th Judicial Circuit from Chester, Lancaster and Fairfield Counties.

CHAIRMAN KNOTTS: You’re an incumbent, been screened before?

MR. MOBLEY: Yes, sir.

CHAIRMAN KNOTTS: Any objection from the committee of us going through the same procedure as the last candidate? (No response)

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. MOBLEY: No, sir.

CHAIRMAN KNOTTS: Do you reside at the address on your driver’s license, voter registration, and property tax residency statement on a full time basis?

MR. MOBLEY: Yes, sir.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. MOBLEY: Yes, sir.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MR. MOBLEY: No, sir.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

MR. MOBLEY: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MR. MOBLEY: No, sir.

CHAIRMAN KNOTTS: Have you contacted members of the Commission?

MR. MOBLEY: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MR. MOBLEY: I do.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines and Pledges?

MR. MOBLEY: Yes, sir.

CHAIRMAN KNOTTS: I have no further questions, the candidate has been screened before by this Committee. Is there any questions from the Committee? (No response)

SENATOR PEELER: Move for favorable report.

SENATOR ALEXANDER: Second.

CHAIRMAN KNOTTS: I have a second. Any discussion? (No response)

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response).

CHAIRMAN KNOTTS: Opposed? (No response)

CHAIRMAN KNOTTS: Thank you for your willingness to serve. We have three more, we have Mr. A.C. “Bubba” Fennell. State your name and position for which you are seeking.

MR. FENNELL: A.C. Fennell, the Third, and I go by the nickname “Bubba” and seeking 8th Circuit University of South Carolina Board of Trustees.

CHAIRMAN KNOTTS: Mr. Fennell, this is your first time?

MR. FENNELL: Yes, sir.

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

MR. FENNELL: No, sir. (Senator Alexander exits Chambers)

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. FENNELL: No, sir.

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. FENNELL: Yes, sir.

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

MR. FENNELL: Yes, sir.

CHAIRMAN KNOTTS: Please explain how you feel your professional experience, thus far, will assist you to be an effective board member?

MR. FENNELL: I’m a USC graduate, grew up in Greenwood, South Carolina. I’m a certified public accountant, been a businessman working with businesses through a regional CPA firm I’ve been associated with 40 years. I was also President of the National Alumni Association from 1999 to 2005, and I was President from 2000 to 2001 and served on the Board of Trustees as an ex-officio member. After that, I was on the Board of Visitors and Chairman the last years, and I’ve been on the Business Partnership Foundation of the Moore School of Business since 2003.

CHAIRMAN KNOTTS: Are there any areas that you would need to prepare yourself for in order to serve as a board member?

MR. FENNELL: No, sir.

CHAIRMAN KNOTTS: What do you think the main requirements of board member should be?

MR. FENNELL: I think the main thing is a willingness to serve our University, the love for the University, and also interested in doing what’s in the best interest of the students, the parents, and also working with the legislature and generally making the University a better place.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. FENNELL: Yes, sir.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MR. FENNELL: No, sir.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

MR. FENNELL: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MR. FENNELL: No, sir.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MR. FENNELL: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MR. FENNELL: Yes, sir.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MR. FENNELL: Yes, sir.

CHAIRMAN KNOTTS: There is no further questions.

SENATOR PEELER: Mr. Chairman, the only thing I could say negative about Mr. Fennell is he sees fit to bring a bulldog with him. Because of that I move for a favorable report.

CHAIRMAN KNOTTS: You must have real thick skin. Okay. I have motion for favorable report, do I have a second?

SENATOR McGILL: Second.

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: Thank you for your willingness to serve. Next we have Mr. Chuck Allen. Mr. Allen, please state your name and the position you’re seeking.

MR. ALLEN: My full given name is Donald Edward Allen, I’m seeking re-election to the University of South Carolina Board of Trustees, Anderson and Oconee Counties.

CHAIRMAN KNOTTS: You’ve been screened how many times before this Committee?

MR. ALLEN: This will be the second time.

CHAIRMAN KNOTTS: Any objection to -- there’s been no changes since that last screening. Any objection from the board to proceed on with the short form? (No response)

CHAIRMAN KNOTTS: No objections.

Mr. Allen, do you still live at reside at the address on your driver’s license and voter’s registration and property tax residency statement on a full time basis?

MR. ALLEN: I do.

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

MR. ALLEN: Not to my knowledge.

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. ALLEN: I do not.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. ALLEN: I have reviewed them, yes.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MR. ALLEN: I have not.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

MR. ALLEN: I have not.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MR. ALLEN: I have not.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MR. ALLEN: I have not.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MR. ALLEN: I do understand.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MR. ALLEN: I have done that.

CHAIRMAN KNOTTS: Any questions from the Committee? (No response)

SENATOR McGILL: Move for favorable report.

SENATOR PEELER: Second.

CHAIRMAN KNOTTS: Motion for favorable and a second, any discussion? (No response)

CHAIRMAN KNOTTS: All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: Thank you for your willingness to serve. I said there was two more but there are a couple more. Okay. 14th Circuit, Allendale, Hampton, Colleton, Jasper and Beaufort Counties, Mr. William Jones. Please state your full name and position you’re seeking, on what board.

MR. JONES: My name is William W. Jones and I’m seeking a position on the University of South Carolina Board of Trustees, 14th Judicial Circuit.

CHAIRMAN KNOTTS: Mr. Jones has been screened how many times before this committee?

MR. JONES: Twice before.

CHAIRMAN KNOTTS: There’s been no changes in his application or his commitment to serve; any objection by the board to go to the short form? (No response)

CHAIRMAN KNOTTS: Mr. Jones, do you reside at the address on your driver’s license, voter registration, and property tax residency statement on a full time basis?

MR. JONES: Yes, 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. JONES: No, sir, I do not.

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

MR. JONES: No, sir, I do not.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. JONES: Yes, sir, I am.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MR. JONES: No, sir, I have not. I did provide notice of my intent to run again for this seat early on but that letter did not seek any type of commitment or otherwise.

CHAIRMAN KNOTTS: Basically an introductory letter?

MR. JONES: Yes, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MR. JONES: No, sir.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MR. JONES: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MR. JONES: Yes, sir, I do.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MR. JONES: I have.

CHAIRMAN KNOTTS: No further questions. Any members of the committee have questions? (No response)

SENATOR McGILL: Move for favorable report.

REPRESENTATIVE HEARN: Second.

CHAIRMAN KNOTTS: I have a second. All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: Thank you for your willingness to serve, sir. Next is Mr. Burroughs. Please come forward and have a seat, sir.

MR. BURROUGHS: James Egerton Burroughs.

CHAIRMAN KNOTTS: And you’re seeking?

MR. BURROUGHS: USC Board of Trustees, seat for the 15th Judicial Circuit, Georgetown and Horry.

CHAIRMAN KNOTTS: Mr. Burroughs has been screened before this Committee, there’s been no changes in his application or to his answers in his application. Any objection to going to the short form? (No response)

CHAIRMAN KNOTTS: Do you have any interest, professionally or personally, that would present a conflict of interest since the last time you were screened?

MR. BURROUGHS: Not to my knowledge, Mr. Chairman.

CHAIRMAN KNOTTS: You would know, wouldn’t you?

MR. BURROUGHS: Yes, 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. BURROUGHS: No, sir.

CHAIRMAN KNOTTS: Do you reside at the address on your driver’s license, voter registration, and property tax residency statement on a full time basis?

MR. BURROUGHS: Yes, sir.

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

MR. BURROUGHS: Yes, sir.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MR. BURROUGHS: Yes, sir.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MR. BURROUGHS: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MR. BURROUGHS: No, sir.

CHAIRMAN KNOTTS: Have you contacted any of the members of the Commission?

MR. BURROUGHS: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MR. BURROUGHS: Yes, sir.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MR. BURROUGHS: Yes, sir.

CHAIRMAN KNOTTS: No further questions. Is there any questions of the Committee? (No response)

REPRESENTATIVE HEARN: Move for a favorable report.

CHAIRMAN KNOTTS: I have a motion for favorable report; do I have a motion for a second?

SENATOR McGILL: Second.

CHAIRMAN KNOTTS: Any discussion? (No response)

CHAIRMAN KNOTTS: No discussion. Call a vote, all in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: Thank you for your willingness to serve.

MR. BURROUGHS: Thank you, sir.

CHAIRMAN KNOTTS: 16th Circuit, and the last one for the day is Ms. Leah Bess Moody. Out of all the people, she was very fun and very friendly. Would you please state your name, full name and the position you’re seeking.

MS. MOODY: Leah B. Moody, and I’m seeking USC Trustee for the 16th Circuit, Union and York Counties.

CHAIRMAN KNOTTS: Ms. Moody, you’ve been screened by this board before?

MS. MOODY: I have.

CHAIRMAN KNOTTS: Is there any changes in your application since the last time?

MS. MOODY: No, sir.

CHAIRMAN KNOTTS: Any objection, let’s go to the short form for her? (No response)

CHAIRMAN KNOTTS: Do you have any interests, professionally or personally, that would present a conflict of interest because of your service on the Board since the last screening?

MS. MOODY: 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?

MS. MOODY: No, sir.

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?

MS. MOODY: Yes.

CHAIRMAN KNOTTS: Are you familiar with the statutory requirements for non-judicial screening and elections, that is Sections 2-20-10 through 2-20-70?

MS. MOODY: Yes, sir.

CHAIRMAN KNOTTS: Have you sought or received the pledge of any legislator prior to this date?

MS. MOODY: No, sir.

CHAIRMAN KNOTTS: Have you sought or have you been offered a conditional pledge of support of any legislator pending the outcome of your screening?

MS. MOODY: No, sir.

CHAIRMAN KNOTTS: Have you asked any third parties to contact members of the General Assembly on your behalf?

MS. MOODY: No, sir.

CHAIRMAN KNOTTS: Have you contacted any members of the Commission?

MS. MOODY: No, sir.

CHAIRMAN KNOTTS: Do you understand that you are prohibited from seeking a pledge or commitment until 48-hours after the formal release of the Committee’s report which is published in the House and Senate Journals?

MS. MOODY: I understand.

CHAIRMAN KNOTTS: Have you reviewed the Committee’s Guidelines on Pledging?

MS. MOODY: Yes, sir.

CHAIRMAN KNOTTS: That’s all the questions that I have at this time. Hold on just a moment and let me check one thing. We need to go into executive session just one second. (Off the record, Executive Session)

CHAIRMAN KNOTTS: Okay. Do I have a motion for favorable report?

REPRESENTATIVE HEARN: Move for favorable report.

SENATOR PEELER: Second.

CHAIRMAN KNOTTS: Any discussion? (No response)

CHAIRMAN KNOTTS: No discussion. All in favor say “Aye”. (Response)

CHAIRMAN KNOTTS: All opposed? (No response)

CHAIRMAN KNOTTS: Thank you for your willingness to serve and your attitude. That concludes the work of the Committee at this time. Let the record reflect that I have the proxy for Senator Alexander, and he voted in favor for all this. That concludes the Screening of the Colleges and Universities. The next meeting will be for the ones that are determined by Congressional Districts. I can’t express enough Julia, this being her first time, and we wanted to go in a new direction because this Committee, we found we needed to go in a new direction. She’s worked hard on it and she’s been a little frustrated at times. I appreciate the hard work the Committee has done today. These boards and commissions, we needed to take a stronger look at than we have in the past, and I appreciate your indulgence to stay with us on it. And I have one set of records and after this committee, if anybody wants to look at it, we’ll do it, but at that point in time, you think two weeks would be an adequate time for y’all to come and look at any records, or if -- are these records open to any member of the General Assembly or just this Committee?

SENATOR PEELER: I assume they’re just open to the Committee.

CHAIRMAN KNOTTS: We’ve done our screening and put them out, so therefore, in two weeks will it be the will of the Committee to give me the permission to purge the records so we don’t have personal credit reports out there?

SENATOR PEELER: We are not meeting two weeks from now.

CHAIRMAN KNOTTS: No. But I’m saying for the Committee here, if you have any questions and you want to come back and look at anything. Okay. Do I have a motion to adjourn the meeting?

SENATOR PEELER: I make a motion to adjourn.

CHAIRMAN KNOTTS: So moved. (Proceedings adjourned at 3:40 p.m.)

**FINDINGS OF FACT**

The Committee to Screen Candidates for Boards of Trustees of State Colleges and Universities has found the following individuals qualified to seek the respective positions on the Boards of Trustees:

The Citadel (Two Seats, at-large)

Col. Allison Dean Love

Mr. Peter M. McCoy, Sr.

Mr. Lamont Andre’ Melvin

Mr. Jeffrey C. Stevenson

Clemson University (Three Seats, at-large)

Dr. Ronald Lee

Dr. Louis B. Lynn

Mr. Robert L. Peeler

Admiral William L. Schachte, Jr.

University of South Carolina (Eight Judicial Circuits)

2nd Circuit (Aiken, Bamberg, Barnwell)

Mr. Miles Loadholt

4th Circuit (Chesterfield, Darlington, Marlboro, Dillon)

Mr. Eugene P. Warr, Jr.

6th Circuit ( Chester, Lancaster, Fairfield)

Mr. Hubert F. Mobley

8th Circuit ( Abbeville, Greenwood, Laurens, Newberry)

Mr. A.C. “Bubba” Fennel III

10th Circuit (Anderson and Oconee)

Mr. Chuck Allen

14th Circuit (Allendale, Hampton, Colleton, Jasper, Beaufort)

Mr. William W. Jones, Jr.

15th Circuit (Georgetown and Horry)

Mr. J. Egerton Burroughs

16th Circuit (Union and York)

Ms. Leah Bess Moody

Wil Lou Gray Opportunity School

Mrs. Doris Adams

Mr. Bryan England

Mrs. Mary Frances “Frankie” Newman

Respectfully submitted,

Senator Jake Knotts, Chairman

Representative Joan Brady, Vice Chairman

Senator Thomas C. Alexander

Senator Harvey S. Peeler, Jr.

Senator J. Yancey McGill

Representative George M. Hearn

Representative David J. Mack III

Representative William R. Whitmire

On motion of Senator KNOTTS, ordered printed in the Journal.

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4199

Agency: Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-43-10 et seq.

SUBJECT: Adult Education Program

Received by Lieutenant Governor January 10, 2012

Referred to Education Committee

Legislative Review Expiration May 9, 2012

Withdrawn and Resubmitted March 15, 2012

**Doctor of the Day**

Senator LARRY MARTIN introduced Dr. Roland Knight of Greenville, S.C., Doctor of the Day.

**Leave of Absence**

At 1:10 P.M., Senator LEATHERMAN requested a leave of absence until 2:30 P.M.

**CO-SPONSORS ADDED**

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

S. 1169 Sen. Alexander

S. 638 Sen. Thomas

**Expression of Personal Interest**

Senator COURSON rose for an Expression of Personal Interest.

**Motion Adopted**

With Senator COURSON retaining the floor, on motion of Senator LEVENTIS, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

**RECALLED AND COMMITTED**

H. 4451 -- Reps. Bowen, Whipper, Bikas, Sottile, Herbkersman, D.C. Moss, Allison, Parker, Huggins, Bowers and Hearn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56‑5‑3890, 56‑5‑3895, AND 56‑5‑3897 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE A PENALTY, AND TO PROVIDE FOR THE DISTRIBUTION OF MONIES COLLECTED FROM FINES ASSOCIATED WITH VIOLATIONS OF THESE PROVISIONS; AND TO AMEND SECTION 56‑1‑720, RELATING TO THE ASSESSMENT OF POINTS AGAINST A PERSON’S DRIVING RECORD FOR CERTAIN MOTOR VEHICLE VIOLATIONS, SO AS TO PROVIDE THAT POINTS MUST BE ASSESSED AGAINST THE DRIVING RECORD OF A PERSON CONVICTED OF IMPROPER USE OF AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE.

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

The Bill was recalled from the Committee on Transportation.

On motion of Senator LARRY MARTIN, the Bill was committed to the Committee on Judiciary.

**RECALLED**

S. 1334 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH BETHEL FOREST ROAD TO ITS INTERSECTION WITH GORDON DRIVE “MELVIN L. CRUM MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “MELVIN L. CRUM MEMORIAL HIGHWAY”.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1347 -- Senator Verdin: A SENATE RESOLUTION TO REMEMBER AND RECOGNIZE THE CONTRIBUTIONS OF THE LATE MR. BROADUS BROOKS GWINN, JR., A VALUED MEMBER OF THE LAURENS COUNTY TRANSPORTATION COMMITTEE.

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The Senate Resolution was adopted.

S. 1348 -- Senator Land: A BILL TO AMEND SECTION 38-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPOSITION OF THE INSURANCE PREMIUM TAX, SO AS TO PROVIDE THAT SEVEN PERCENT OF THE ANNUAL REVENUE OF THIS TAX MUST BE TRANSFERRED TO THE SOUTH CAROLINA FORESTRY COMMISSION AND USED BY IT FOR FIREFIGHTING AND FIREFIGHTING EQUIPMENT REPLACEMENT AND FOREST INDUSTRY ECONOMIC ENHANCEMENT.

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

S. 1349 -- Senators Alexander, McGill, Cromer and Sheheen: A JOINT RESOLUTION TO PROVIDE THAT THE STATE BUDGET AND CONTROL BOARD, THROUGH ITS OFFICE OF INSURANCE SERVICES, IN STATE FISCAL YEAR 2012-2013, MAY OFFER TORT LIABILITY INSURANCE COVERAGE TO AN AGING ENTITY AND ITS EMPLOYEES SERVING CLIENTS COUNTYWIDE WHICH PREVIOUSLY HAS OBTAINED ITS TORT LIABILITY INSURANCE COVERAGE THROUGH THE BOARD.

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

S. 1350 -- Senator Rose: A BILL TO AMEND SECTION 30-4-30 OF THE 1976 CODE, RELATING TO THE FREEDOM OF INFORMATION ACT, TO PROVIDE THAT A PUBLIC BODY MAY NOT CHARGE FOR ELECTRONIC COPIES OF ANY PUBLIC RECORD REQUESTED UNDER THE ACT AND ANY FEES THAT ARE CHARGED MAY NOT EXCEED THE PREVAILING COMMERCIAL RATE FOR COPIES, TO LIMIT REQUIRED DEPOSITS FOR PRODUCTION TO TWENTY-FIVE PERCENT OF THE COST, TO REDUCE THE TIME ALLOWED FOR PROVIDING NOTICE OF THE RECEIPT OF REQUESTS FROM FIFTEEN BUSINESS DAYS TO FIFTEEN CALENDAR DAYS, TO ALLOW FOR PRODUCTION, COPY, OR INSPECTION OF RECORDS WITHIN THIRTY DAYS WITH AN ADDITIONAL FORTY-FIVE DAYS FOR RECORDS OLDER THAN TWENTY-FOUR MONTHS, TO INCLUDE IN THE DOCUMENTS REQUIRED TO BE PRODUCED WITHOUT A WRITTEN REQUEST ANY DOCUMENT DISTRIBUTED OR REVIEWED BY THE PUBLIC BODY WITH THE LAST SIX MONTHS; AND TO AMEND SECTION 30-4-40, TO REMOVE MEMORANDA, CORRESPONDENCE, AND WORKING PAPERS IN THE POSSESSION OF MEMBERS OF THE GENERAL ASSEMBLY FROM THE LIST OF RECORDS THAT ARE EXEMPTED FROM DISCLOSURE.

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

S. 1351 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-157 SO AS TO SPECIFY THE NUMBER OF LIFEGUARDS, BASED ON THE SQUARE FOOTAGE AND NUMBER OF PATRONS, A TYPE A PUBLIC SWIMMING POOL OPERATED BY THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE, MUST HAVE AS A CONDITION OF OBTAINING AND MAINTAINING AN OPERATING PERMIT AND TO PROVIDE PROCEDURES FOR APPLYING FOR A VARIANCE; AND TO REQUIRE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL APPROVAL OF LIFEGUARD COVERAGE PLANS FOR TYPE E PUBLIC SWIMMING POOLS.

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

S. 1352 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4237, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1353 -- Senator Rose: A BILL TO AMEND SECTION 8-13-1140 OF THE 1976 CODE, RELATING TO THE DISCLOSURE OF ECONOMIC INTERESTS BY PUBLIC OFFICERS AND EMPLOYEES, TO REQUIRE A PERSON THAT IS REQUIRED TO FILE THE STATEMENT TO FILE FOR ANY YEAR IN WHICH THAT PERSON HOLDS OFFICE FOR ANY PORTION OF THE YEAR.

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

S. 1354 -- Senator Bryant: A BILL TO AMEND SECTION 35-1-604 OF THE 1976 CODE, RELATING TO SECURITIES VIOLATIONS, TO REQUIRE ALL CEASE AND DESIST ORDERS ISSUED BY THE SECURITIES COMMISSIONER TO BE PUBLIC DOCUMENTS AND TO REQUIRE PUBLICATION ON THE ATTORNEY GENERAL'S WEBSITE.

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Senator BRYANT spoke on the Bill.

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

S. 1355 -- Senator Courson: A CONCURRENT RESOLUTION TO CONGRATULATE TRINITY EPISCOPAL CATHEDRAL OF COLUMBIA ON THE OCCASION OF THE CHURCH'S BICENTENNIAL CELEBRATION DURING 2012 AND TO EXTEND THE APPRECIATION OF THE SOUTH CAROLINA GENERAL ASSEMBLY FOR THE CHURCH'S SIGNIFICANT ROLE IN SHAPING THE LIVES OF SO MANY CITIZENS OF THIS GREAT STATE.

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

S. 1356 -- Senator Campbell: A CONCURRENT RESOLUTION TO URGE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR AN ADDITIONAL FOUR YEARS; FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

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Senator CAMPBELL spoke on the Resolution.

On motion of Senator CAMPBELL, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

H. 5039 -- Reps. J. H. Neal, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO CONGRATULATE HENRY L. AND NEINO W. POLK OF SUMTER COUNTY ON THE OCCASION OF THEIR FIFTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILLMENT.

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

**REPORTSOF STANDING COMMITTEES**

Senator THOMAS from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 781 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 97 TO TITLE 38 SO AS TO ENACT THE “PORTABLE ELECTRONICS INSURANCE ACT”, TO PROVIDE CERTAIN DEFINITIONS RELATED TO PORTABLE ELECTRONICS INSURANCE, TO PROVIDE REQUIREMENTS RELATING TO THE SALE OF PORTABLE ELECTRONICS INSURANCE, TO PROVIDE CERTAIN DISCLOSURE REQUIREMENTS OF A VENDOR OF PORTABLE ELECTRONICS INSURANCE TO THE PROSPECTIVE CONSUMER OF THIS INSURANCE, TO PROVIDE PENALTIES FOR A VIOLATION, AND TO PROVIDE LICENSURE FEES AND SURCHARGES.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 1222 -- Senator McConnell: A BILL TO AMEND SECTION 50‑23‑11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT DEALER DEMONSTRATION NUMBERS, SO AS TO PROVIDE THAT THEY MAY BE ASSIGNED TO WATERCRAFT OPERATED FOR PURPOSES OF BUYER ADVERTISING BY OWNERS, EMPLOYEES, OR CORPORATE OFFICERS OF A DEALERSHIP.

Ordered for consideration tomorrow.

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

S. 1299 -- Senators Cleary and McGill: A BILL TO AMEND SECTION 54‑15‑20 OF THE 1976 CODE, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA COMMISSIONERS OF PILOTAGE FOR THE UPPER COASTAL AREA, TO INCREASE THE NUMBER OF MEMBERS ON THE COMMISSION FROM SIX TO EIGHT.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCE**

S. 1342 -- Senator L. Martin: A CONCURRENT RESOLUTION TO CONGRATULATE THE LIBERTY HIGH SCHOOL COMPETITIVE CHEER TEAM OF PICKENS COUNTY UPON WINNING THE 2011 SOUTH CAROLINA HIGH SCHOOL CLASS AA STATE CHEER CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM AND HEAD COACH MISSY RICKEN ON A SUPERLATIVE SEASON.

Returned with concurrence.

Received as information.

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

**AMENDED, READ THE THIRD TIME**

**SENT TO THE HOUSE AS AMENDED**

S. 1037 -- Senators Anderson and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 13, TITLE 24 SO AS TO PROVIDE THAT CERTAIN PERSONS WHO HAVE BEEN WRONGFULLY CONVICTED OF AND IMPRISONED FOR A CRIME MAY RECOVER THE MONETARY VALUE OF THE LOSS SUSTAINED THROUGH THE WRONGFUL CONVICTION AND IMPRISONMENT.

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

**Motion Under Rule 26B**

Senator MASSEY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Senator MASSEY proposed the following amendment (1037R002.ASM), which was adopted:

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

/ SECTION 1. Chapter 13, Title 24 of the 1976 Code is amended to read:

“Article 22

Compensation for a Wrongful Conviction

Section 24-13-2310. For the purposes of this article, ‘wrongly convicted’ means a person who was convicted of an offense, was incarcerated for the offense for at least ninety days, was incarcerated solely on the basis of the conviction of the offense, and is innocent of the offense.

Section 24-13-2320. (A) A person may only file a claim for wrongful conviction if the person’s conviction was overturned by a court of competent jurisdiction and the matter has reached final judgment or the person has been pardoned.

(B) A person may file a claim for wrongful conviction to be heard before a judge in the circuit that exercised jurisdiction over the offense. The claim shall be awarded if the court finds by clear and convincing evidence that the claimant was wrongly convicted.

Section 24-13-2330. A person wrongly convicted must be awarded an amount equal to fifteen thousand dollars for each year, or a pro rata amount for the portion of each year, of the incarceration actually served. However, the award shall not exceed fifty thousand dollars. All awards shall be made from the Wrongful Conviction Compensation Fund.

Section 24-13-2340. A person is not entitled to an award pursuant to this article if the person:

(1) was convicted of any of the acts charged in conjunction with the offense for which he was wrongfully convicted;

(2) served the term of incarceration concurrently with a sentence imposed for any other conviction;

(3) served a term of incarceration less than ninety days;

(3) is serving a term of imprisonment for the conviction of another crime; or

(4) the person pled guilty or nolo contendere to the offense for which he is seeking compensation.

Section 24-13-2350. A person awarded compensation pursuant to this article who is subsequently convicted of a felony is not eligible to receive any unpaid amounts of the award.

Section 24-13-2360. There is established in the State Treasury the ‘Wrongful Conviction Compensation Fund’. This fund is separate and distinct from the general fund of the State and all other funds. The fund shall consist of appropriations and donations, contributions, bequests, or other gifts. The proceeds in the fund may only be used to satisfy awards for wrongful convictions. Earnings and interest on this fund must be credited to it and any balance at the end of a fiscal year carries forward to the fund in the succeeding fiscal year.”

SECTION 2. This act takes effect upon approval of the Governor. This act only applies to persons whose convictions have been overturned or persons who have received a pardon after the effective date. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

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

**Ayes 33; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Fair Grooms

Hayes Jackson Knotts

Leatherman Leventis *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Williams

**Total--33**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

**THIRD READING BILLS**

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

S. 300 -- Senators Fair, Hutto, Jackson, Knotts, Rankin and Ford: A BILL TO AMEND SECTION 63‑19‑1440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMITMENT OF JUVENILES TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO AUTHORIZE THE DEPARTMENT OF JUVENILE JUSTICE TO ALLOW A JUVENILE WHO IS TEMPORARILY COMMITTED TO ITS CUSTODY, AFTER BEING ADJUDICATED FOR A STATUS OFFENSE, MISDEMEANOR OFFENSE, OR A PROBATION VIOLATION OR CONTEMPT, TO UNDERGO A COMMUNITY EVALUATION WITH CERTAIN SAFEGUARDS AND EXCEPTIONS.

S. 1316 -- Senator L. Martin: A BILL TO AMEND SECTION 7‑7‑450, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN PICKENS COUNTY, SO AS TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

S. 1337 -- Senator Leatherman: A BILL TO AMEND ACT 239 OF 1981, AS AMENDED, RELATING TO FLORENCE COUNTY SCHOOL DISTRICT NO. 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE FLORENCE COUNTY SCHOOL DISTRICT NO. 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

**READ THE SECOND TIME**

S. 302 -- Senators Fair, Hutto, Jackson, Knotts, Rankin and Ford: A BILL TO AMEND SECTION 63-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY SERVICES THAT THE DEPARTMENT OF JUVENILE JUSTICE SHALL PROVIDE, SO AS TO AUTHORIZE THE DEPARTMENT OF JUVENILE JUSTICE TO GRANT PROBATIONERS AND PAROLEES UNDER THE DEPARTMENT’S SUPERVISION UP TO A TEN-DAY REDUCTION OF THE PROBATIONARY OR PAROLE TERM FOR EACH MONTH THEY ARE COMPLIANT WITH THE TERMS AND CONDITIONS OF THEIR PROBATION OR PAROLE.

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

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

**Ayes 38; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Ford Gregory Grooms

Hayes Jackson Knotts

Land Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McGill Nicholson

O'Dell Peeler Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

**Total--0**

The Bill was read the second time and ordered placed on the Third Reading Calendar.

**READ THE SECOND TIME**

H. 4639 -- Reps. Sandifer, Gambrell, Toole and Hardwick: A BILL TO AMEND SECTION 6‑10‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE 2006 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, SO AS TO ADOPT THE 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AS THE ENERGY STANDARD.

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

Senator LARRY MARTIN explained the Bill.

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

**Ayes 27; Nays 9**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Ford

Gregory Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

Matthews McGill Nicholson

Peeler Ryberg Scott

Setzler Sheheen Williams

**Total--27**

**NAYS**

Bright Bryant Davis

*Martin, Shane* Massey Rose

Shoopman Thomas Verdin

**Total--9**

The Bill was read the second time and ordered placed on the Third Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 45 -- Senators McConnell, Campsen and Ford: A BILL TO AMEND CHAPTER 15, TITLE 17 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 17‑15‑55, SO AS TO PROVIDE THAT THE CIRCUIT COURT SHALL CONSIDER MOTIONS REGARDING RECONSIDERATION OF BOND FOR GENERAL SESSIONS OFFENSES SET BY A SUMMARY COURT JUDGE; TO PROVIDE THAT FURTHER DEFENSE MOTIONS TO RECONSIDER BOND MAY BE HEARD BY THE CIRCUIT COURT ONLY UPON THE DEFENDANT’S PRIMA FACIE SHOWING OF A MATERIAL CHANGE IN CIRCUMSTANCE; TO PROVIDE THAT MOTIONS BY THE STATE TO REVOKE OR MODIFY A DEFENDANT’S BOND MUST BE MADE IN WRITING, STATE WITH PARTICULARITY THE GROUNDS FOR REVOCATION OR MODIFICATION, AND SET FORTH THE RELIEF OR ORDER SOUGHT; AND TO PROVIDE THAT, IF THE STATE’S MOTION TO REVOKE OR MODIFY BOND INCLUDES A PRIMA FACIE SHOWING OF IMMINENT DANGER TO THE COMMUNITY, OR IMMINENT DANGER TO THE DEFENDANT, OR FLIGHT BY THE DEFENDANT, THE CHIEF JUDGE OR PRESIDING JUDGE SHALL CONDUCT OR ORDER AN EMERGENCY HEARING WITHIN FORTY‑EIGHT HOURS.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

The Judiciary Committee proposed the following amendment (JUD0045.002), which was adopted:

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

/ SECTION 1. Section 17‑15‑30 of the 1976 Code is amended to read:

“Section 17‑15‑30. (A) In determining conditions of release that will reasonably assure appearance, or if release would constitute an unreasonable danger to the community, ~~the~~ a court may, on the basis of available information, consider the nature and circumstances of ~~the~~ an offense charged and ~~the~~ an accused’s:

(1) family ties;

(2) employment;

(3) financial resources;

(4) character and mental condition;

(5) length of residence in the community;

(6) record of convictions; and

(7) record of flight to avoid prosecution or failure to appear at other court proceedings.

(B) ~~The~~ A court shall consider, if available:

(1) ~~the~~ an accused’s criminal record;

(2) any charges pending against ~~the~~ an accused at the time release is requested;

(3) all incident reports generated as a result of ~~the~~ an offense charged~~, if available~~; ~~and~~

(4) whether ~~the~~ an accused is an alien unlawfully present in the United States, and poses a substantial flight risk due to this status; and

(5) whether the source of funds used to post bail were derived from criminal activity.

(C)(1) Prior to or at the time of ~~the~~ a hearing, the arresting law enforcement ~~officer, local detention facility officer, or local jail officer, as applicable, attending the hearing~~ agency shall provide the court with the following information, if available:

~~(1)~~(a) the accused’s criminal record;

~~(2)~~(b) any charges pending against the accused at the time release is requested;

~~(3)~~(c) all incident reports generated as a result of the offense charged; and

~~(4)~~(d) any other information that will assist the court in determining conditions of release.

~~(D)~~(2) The arresting law enforcement ~~officer, local detention facility officer, or local jail officer, as applicable,~~ agency shall inform the court if any of the information ~~required in subsection (C)~~ is not available at the time of the hearing and the reason the information is not available. Failure on the part of the law enforcement ~~officer, local detention facility officer, or local jail officer, as applicable,~~ agency to provide the court with the information ~~required in subsection (C)~~ does not constitute grounds for the postponement or delay of the person’s hearing.

(D) If a person has previously been released on bail pending trial and during the release the person is charged with a violent offense as defined by Section 16‑1‑60, and a court finds, by a preponderance of the evidence, that no condition or combination of conditions will reasonably assure the person’s appearance as required or the safety of another person and the community, the court shall deny the person’s release pending trial.

(E) A court hearing ~~this matter~~ these matters has contempt powers to enforce ~~these~~ the provisions of this section.”

SECTION 2. Chapter 15, Title 17 of the 1976 Code is amended by adding:

“Section 17‑15‑55. (A)(1) The circuit courts, at their discretion, may review and reconsider bond for general sessions offenses set by summary court judges. Also, the circuit courts shall consider motions regarding reconsideration of bond for general sessions offenses set by summary court judges upon motions filed with the clerks of court. Hearings of such motions must be scheduled. The rules of evidence do not apply to bond hearings.

(2) After a circuit court judge has heard and ruled upon a defendant’s motion to reconsider a bond set by a summary court judge, further defense motions to reconsider may be heard by the circuit court only upon the defendant’s prima facie showing of a material change in circumstance which relates to the factors set forth in Section 17‑15‑30, and which has arisen since the prior motion to reconsider. In addition, the circuit court may hear further defense motions to reconsider based on the length of time the defendant has been held for trial. The chief judge shall schedule a hearing, or, if such showing is not set forth in the written motion, deny the motion for failure to make a prima facie showing of a material change in circumstance. Information regarding the defendant’s guilt or innocence does not qualify as a change in circumstance for purposes of reconsidering bond absent the solicitor’s consent.

(B)(1) Motions by the State to revoke or modify a bond must be made in writing, state with particularity the grounds for revocation or modification, and set forth the relief or order sought. The motions must be filed with the clerks of court, and a copy must be served on the chief judge, defense counsel, and bond surety, if any.

(2) If the state’s motion to revoke or modify bond includes a prima facie showing of imminent danger to the community, imminent danger to the defendant, or flight by the defendant, the chief judge or presiding judge shall conduct or order an emergency bond hearing to be conducted by the circuit court judge or a designee, including a summary court judge, within forty‑eight hours of receiving service of the state’s motion. The chief judge shall order the solicitor to notify the defense counsel and bond surety of the time and date of the hearing, and the solicitor shall provide proof that reasonable efforts were made to affect such notice. Upon notice by the State, the defense counsel and bond surety shall make reasonable efforts to notify the defendant of the emergency hearing and secure the defendant’s presence at the hearing. The court may proceed with the hearing despite the absence of the defendant, defense counsel, or bond surety. Upon receiving notice of the chief judge’s order for an emergency hearing, the bond surety may surrender the defendant to the county of jurisdiction’s detention center in accordance with Section 38‑53‑50(b). If an emergency bond hearing is held without the presence of the defendant or defense counsel, and bond is revoked, the judge having heard the matter may conduct a hearing on the defendant’s motion to reconsider the revocation. Such defense motions to reconsider revocation must be filed with the clerk of court and served on the solicitor and bond surety.”

SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Jackson Knotts Land

Leatherman Leventis Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McGill Nicholson

O'Dell Peeler Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**SECOND READING FAILS**

H. 3059 -- Reps. Merrill, Stavrinakis, J.E. Smith and Whipper: A BILL TO AMEND SECTION 12‑6‑3376, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INCOME TAX CREDIT FOR PLUG‑IN HYBRID VEHICLES, SO AS TO REVISE THE DEFINITION OF “PLUG‑IN HYBRID VEHICLE”, TO RAISE THE AGGREGATE AMOUNT OF THE CREDIT AVAILABLE EACH FISCAL YEAR AND DELETE ITS EXPIRATION DATE, AND TO PROVIDE THAT THE CREDIT MUST BE ALLOCATED TO ELIGIBLE CLAIMANTS DURING A FISCAL YEAR ON A FIRST‑COME, FIRST‑SERVE BASIS.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Finance.

Senator O’DELL proposed the following amendment (NBD\  
12225DG12), which was adopted:

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

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

SECTION 1. Section 12‑6‑3376 of the 1976 Code, as added by Act 83 of 2007, is amended to read:

“Section 12‑6‑3376. (A) For taxable years beginning ~~after 2007, and before 2011~~ in 2012 and before 2017, a taxpayer is allowed a tax credit against the income tax imposed pursuant to this chapter for the in‑state purchase or lease of a new plug‑in hybrid vehicle.

A plug‑in hybrid vehicle is a vehicle that:

(1) shares the same benefits as an internal combustion and electric engine with an all‑electric range of no less than nine miles;

(2) has four or more wheels;

(3) draws propulsion using a traction battery;

(4) has at least four kilowatt hours of battery capacity; and

(5) uses an external source of energy to recharge the battery.

Qualified plug‑in hybrid vehicles also must be manufactured primarily for use on public streets, roads, highways, and not be classified as low or medium speed vehicles. Low‑speed vehicles are vehicles capable of a speed of at least twenty but not more than twenty‑five miles per hour, is used primarily for short trips and recreational purposes, and has safety equipment such as lights, reflectors, mirrors, parking brake, windshield, and safety belts. Medium‑speed vehicles are vehicles capable of a speed of at least thirty but not more than forty-six miles per hour and has safety equipment such as lights, reflectors, mirrors, parking brake, windshield, and safety belts.

The credit is equal to six hundred sixty-seven dollars, plus one hundred eleven dollars if the vehicle has at least five kilowatt hours of battery capacity, plus an additional one hundred eleven dollars for each kilowatt hour of battery capacity in excess of five kilowatt hours. The maximum credit allowed by this section is two thousand dollars. The credit allowed by this section is nonrefundable and if the amount of the credit exceeds the taxpayer’s liability for the applicable taxable year, any unused credit may be carried forward for five years.

(B) To claim the credit allowed by this section, the taxpayer must provide the department with a certification from the vehicle manufacturer, or in the case of a foreign vehicle manufacturer, its domestic distributor, stating that the vehicle is a qualified plug‑in hybrid as described subsection (A), and the vehicle’s number of kilowatt hours of battery capacity.

(C) Notwithstanding the credit amount allowed pursuant to this section, for a ~~fiscal~~ calendar year all claims made pursuant to this section must not exceed two hundred thousand dollars and must ~~apply proportionately to all eligible claimants~~ apply to eligible claimants on a first‑come, first‑serve basis as determined by the Department of Revenue in a manner it prescribes until the total allowable credits for that calendar year are exhausted.”

SECTION 2. This act takes effect upon approval by the Governor and applies to in-state purchases and leases made on or after the first day of the calendar month beginning at least thirty days after the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

Senator O’DELL explained the perfecting amendment.

The perfecting amendment was adopted.

The Committee on Finance proposed the following amendment (NBD\12166DG12), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 12‑6‑3376 of the 1976 Code, as added by Act 83 of 2007, is amended to read:

“Section 12‑6‑3376. (A) For taxable years beginning after ~~2007, and before~~ 2011 and before 2017, a taxpayer is allowed a tax credit against the income tax imposed pursuant to this chapter for the in‑state purchase or lease of a plug‑in hybrid vehicle.

A plug‑in hybrid vehicle is a vehicle that:

(1) shares the same benefits as an internal combustion and electric engine with an all‑electric range of no less than nine miles;

(2) has four or more wheels;

(3) draws propulsion using a traction battery;

(4) has at least four kilowatt hours of battery capacity; and

(5) uses an external source of energy to recharge the battery.

Qualified plug‑in hybrid vehicles also must be manufactured primarily for use on public streets, roads, highways, and not be classified as low or medium speed vehicles. Low‑speed vehicles are vehicles capable of a speed of at least twenty but not more than twenty‑five miles per hour, is used primarily for short trips and recreational purposes, and has safety equipment such as lights, reflectors, mirrors, parking brake, windshield, and safety belts. Medium‑speed vehicles are vehicles capable of a speed of at least thirty but not more than forty-six miles per hour and has safety equipment such as lights, reflectors, mirrors, parking brake, windshield, and safety belts.

The credit is equal to six hundred sixty-seven dollars, plus one hundred eleven dollars if the vehicle has at least five kilowatt hours of battery capacity, plus an additional one hundred eleven dollars for each kilowatt hour of battery capacity in excess of five kilowatt hours. The maximum credit allowed by this section is two thousand dollars. The credit allowed by this section is nonrefundable and if the amount of the credit exceeds the taxpayer’s liability for the applicable taxable year, any unused credit may be carried forward for five years.

(B) Notwithstanding the credit amount allowed pursuant to this section, for a fiscal year all claims made pursuant to this section must not exceed two hundred thousand dollars and must ~~apply proportionately to all eligible claimants~~ apply to eligible claimants on a first‑come, first‑serve basis as determined by the Department of Revenue in a manner it prescribes until the total allowable credits for that fiscal year are exhausted.” /

Renumber sections to conform.

Amend title to conform.

Senator O’DELL explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 7; Nays 29**

**AYES**

Coleman Fair Land

Leatherman Leventis O'Dell

Sheheen

**Total--7**

**NAYS**

Alexander Anderson Bright

Bryant Campbell Cleary

Courson Cromer Davis

Ford Gregory Grooms

Hayes Knotts Malloy

*Martin, Larry Martin, Shane* Massey

McGill Nicholson Peeler

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--29**

Having failed to receive the necessary vote, second reading of the Bill failed.

**AMENDED AND ADOPTED**

**SENT TO THE HOUSE**

S. 1343 -- Senator Knotts: A CONCURRENT RESOLUTION TO FIX TUESDAY, APRIL 17, 2012, AT 12:30 P.M., AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARDS OF TRUSTEES FOR THE CITADEL, CLEMSON UNIVERSITY, UNIVERSITY OF SOUTH CAROLINA, AND WIL LOU GRAY OPPORTUNITY SCHOOL TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE ON JUNE 30, 2012, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; AND TO ESTABLISH A PROCEDURE REGARDING NOMINATIONS AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION.

The Senate proceeded to a consideration of the Resolution, the question being the adoption of the Resolution.

Senator RYBERG proposed the following amendment (1343R002.WGR), which was adopted:

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

/ TO FIX TUESDAY, APRIL 17, 2012, AT 12:30 P.M., AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARDS OF TRUSTEES FOR THE CITADEL, CLEMSON UNIVERSITY, UNIVERSITY OF SOUTH CAROLINA, AND WIL LOU GRAY OPPORTUNITY SCHOOL TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE ON JUNE 30, 2012, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; IMMEDIATELY FOLLOWING THE ELECTION OF MEMBERS OF BOARDS OF TRUSTEES TO ELECT MEMBERS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE APPELLATE PANEL; AND TO ESTABLISH A PROCEDURE REGARDING NOMINATIONS AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION.

Be it resolved by the Senate, the House of Representatives concurring:

That the Senate and the House of Representatives meet in joint session in the House of Representatives on Tuesday, April 17, 2012, at 12:30 p.m., for the purpose of electing members of the Boards of Trustees for The Citadel, Clemson University, University of South Carolina, and Wil Lou Gray Opportunity School to succeed those members whose terms expire on June 30, 2012, or whose positions otherwise must be filled; and to establish a procedure regarding nominations and seconding speeches for the candidates for these offices during the joint session; and

That immediately following the election for members of boards of trustees, the Senate and the House of Representatives shall meet in joint assembly in the Hall of the House of Representatives to elect members of the Department of Employment and Workforce Appellate Panel and to establish a procedure regarding nominations and seconding speeches for the candidates for these offices during the joint session. /

Renumber sections to conform.

Amend title to conform.

Senator RYBERG explained the amendment.

The amendment was adopted.

The Concurrent Resolution was adopted and ordered sent to the House.

**ADOPTED**

S. 1318 -- Senators Courson and Lourie: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN’S CHRISTIAN ASSOCIATION TO USE THE SENATE CHAMBER AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE SENATE OFFICE BUILDING ON THURSDAY, NOVEMBER 15, 2012, AND FRIDAY, NOVEMBER 16, 2012, TO CONDUCT THE YOUTH IN GOVERNMENT PROGRAM.

The Senate Resolution was adopted.

**COMMITTEE AMENDMENT ADOPTED**

**AMENDED, CARRIED OVER AS AMENDED**

S. 731 -- Senators Scott and Jackson: A BILL TO AMEND SECTION 5‑7‑200, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR FORFEITURE OF THE OFFICE OF MAYOR OR COUNCILMAN AND THE FILLING OF A VACANCY IN EITHER OFFICE, SO AS TO PROVIDE AN ADDITIONAL PERIOD OF TIME THAT MAY BE UTILIZED TO FILL A VACANCY IN EITHER OFFICE.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

The Committee on Judiciary proposed the following amendment (JUD0731.004), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 33-37, in Section 5‑7‑200(B), as contained in SECTION 1, and inserting therein the following:

/ ~~(b)~~(B) A vacancy in the office of mayor or council ~~shall~~ must be filled for the remainder of the unexpired term either:

(1) at the next ~~regular~~ municipal election, or

(2) at a special election held pursuant to Section 7‑13‑190, if the vacancy occurs:

(a) one hundred eighty days or more, or

(b) ninety days or less

prior to the next ~~general~~ municipal election.” /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the committee amendment.

The committee amendment was adopted.

Senator SCOTT proposed the following amendment (JUD0731.005), which was adopted:

Amend the bill, as and if amended, page 1, line 39, by striking SECTION 2 in its entirety and inserting therein the following:

/ SECTION 2. Section 7‑13‑35 of the 1976 Code, as last amended by Act 434 of 1996, is further amended to read:

“Section 7‑13‑35. The authority charged by law with conducting an election must publish two notices of general, municipal, special, and primary elections held in the county in a newspaper of general circulation in the county or municipality, as appropriate. Included in each notice must be a reminder of the last day ~~persons~~ a person may register to be eligible to vote in the election for which notice is given, the date the make‑up election will be held if the originally scheduled election must be postponed due to inclement weather or other emergency, notification of the date, time, and location of the hearing on ballots challenged in the election, a list of the precincts involved in the election, the location of the polling places in each of the precincts, and notification that the process of examining the return‑addressed envelopes containing absentee ballots may begin at ~~2:00 p.m.~~ 9:00 a.m. on election day at a place designated in the notice by the authority charged with conducting the election. The first notice must appear not later than sixty days before the election and the second notice must appear not later than two weeks after the first notice.”

SECTION 3. Section 7‑13‑40 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑13‑40. In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county election commissions on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county election commission, whichever is responsible under law for preparing the ballot, not later than twelve o’clock noon on April ~~ninth~~ fifth, or if April ~~ninth~~ fifth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. Political parties must not accept the filing of ~~any~~ a candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate desires to file, and ~~such~~ the candidate’s name ~~shall~~ must not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.”

SECTION 4. Section 7‑13‑190 of the 1976 Code, as last amended by Act 3 of 2003, is further amended by adding:

“(F) In the event the Governor declares a state of emergency covering an entire jurisdiction holding an election, the election must be postponed and held on the next Tuesday. This subsection does not apply to statewide primaries and general elections.”

SECTION 5. Section 7‑13‑350 of the 1976 Code, as last amended by Act 3 of 2003, is further amended to read:

“Section 7‑13‑350. (A) Except as otherwise provided in this section, the nominees in a party primary or party convention held under the provisions of this title by ~~any~~ a political party certified by the commission for one or more of the offices, national, state, circuit, ~~multi‑county~~ multicounty district, countywide, less than countywide, or municipal to be voted on in the general election, held on the first Tuesday following the first Monday in November, must be placed upon the appropriate ballot for the election as candidates nominated by the party by the authority charged by law with preparing the ballot if the names of the nominees are certified, in writing, by the political party chairman, ~~vice‑chairman~~ vice chairman, or secretary to the authority, for general elections held under Section 7‑13‑10, not later than twelve o’clock noon on August fifteenth or, if August fifteenth falls on Saturday or Sunday, not later than twelve o’clock noon on the following Monday; and for a special or municipal general election, by at least twelve o’clock noon on the sixtieth day prior to the date of holding the election, or if the sixtieth day falls on Sunday, by twelve o’clock noon on the following Monday. Political parties nominating candidates by primary or convention must verify the qualifications of those candidates prior to certification to the authority charged by law with preparing the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which he has filed. ~~Any~~ A candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which he has filed ~~shall~~ must not be nominated and certified, and ~~such~~ the candidate’s name ~~shall~~ must not be placed on a general, special, or municipal election ballot.

(B) Candidates for President and Vice President must be certified to the State Election Commission not later than twelve o’clock noon on the first Tuesday following the first Monday in September ~~September tenth to the State Election Commission, or if September tenth falls on Sunday, not later than twelve o’clock noon on the following Monday~~.”

SECTION 6. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑25. (A) Notwithstanding the provision of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of registration and elections must establish at least one early voting center and may establish up to three early voting centers. The county board of registration and elections will determine the location of the early voting center or centers. Each early voting center must be supervised by election commission employees.

(E) The early voting period begins eleven days before an election and ends three days prior to the election.

(F) The county board of registration and elections must determine the hours of operation and location for an early voting center. However, the early voting center must be open for two Saturdays within the early voting period for statewide primaries and general elections.

(G) In addition to the early voting centers established pursuant to Section 7‑13‑25, a county board of registration and elections may authorize up to two additional early voting centers if the county board of registration and elections finds there is a need for additional early voting centers after holding a public hearing on the matter. The county board of registration and elections will determine the location of the early voting center or centers.

(H) A sign must be posted prominently in an early voting center and must have printed on it, ‘VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS’.”

SECTION 7. Section 7‑3‑20(C) of the 1976 Code, as last amended by Act 253 of 2006, is further amended to read:

“(C) The executive director shall:

(1) maintain a complete master file of all qualified electors by county and by precincts;

(2) delete the name of any elector:

(a) who is deceased;

(b) who is no longer qualified to vote in the precinct where currently registered;

(c) who has been convicted of a disqualifying crime;

(d) who is otherwise no longer qualified to vote as may be provided by law; or

(e) who requests in writing that his name be removed;

(3) enter names on the master file as they are reported by the county registration boards;

(4) furnish each county registration board with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

(5) maintain all information furnished his office relating to the inclusion or deletion of names from the master file for four years;

(6) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

(7) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

(8) obtain information from any other source which may assist him in carrying out the purposes of this section;

(9) perform such other duties relating to elections as may be assigned him by the State Election Commission;

(10) furnish at reasonable price any precinct lists to a qualified elector requesting them;

(11) serve as the chief state election official responsible for implementing and coordinating the state’s responsibilities under the National Voter Registration Act of 1993; ~~and~~

(12) serve as the chief state election official responsible for implementing and enforcing the state’s responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the United States Code, Title 42, Section 1973ff, et seq; and

(13) enter into the master file a separate designation each for voters casting absentee ballots and early ballots in a general election.”

SECTION 8. Section 7‑15‑320 of the 1976 Code is amended by adding an appropriately numbered subsection at the beginning to read:

“( ) Any qualified elector may vote during the early voting period pursuant to Section 7-13-25.”

SECTION 9. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

On motion of Senator RYBERG, the Bill was carried over, as amended.

**COMMITTED**

S. 1336 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4237, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**CARRIED OVER**

H. 3392 -- Reps. Clemmons, Sellers, Allen, G.M. Smith and Weeks: A BILL TO AMEND SECTION 7‑13‑35, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICE FOR GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE POSTED TIME AT WHICH ABSENTEE BALLOTS MAY BEGIN TO BE EXAMINED FROM 2:00 P.M. TO 9:00 A.M. AND TO REQUIRE NOTIFICATION OF THE DATE THE MAKE‑UP ELECTION WILL BE HELD IN THE EVENT OF INCLEMENT WEATHER OR OTHER EMERGENCY; TO AMEND SECTION 7‑13‑40, AS AMENDED, RELATING TO THE DATE BY WHICH THE PARTY CHAIRMAN, VICE CHAIRMAN, OR SECRETARY MUST PROVIDE WRITTEN CERTIFICATION OF THE CANDIDATES’ NAMES TO THE STATE ELECTION COMMISSION, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7‑13‑190, AS AMENDED, RELATING TO SPECIAL ELECTIONS, SO AS TO PROVIDE THAT IF THE GOVERNOR DECLARES A STATE OF EMERGENCY COVERING AN ENTIRE JURISDICTION HOLDING AN ELECTION, THE ELECTION MUST BE POSTPONED AND HELD ON THE NEXT TUESDAY; AND TO AMEND SECTION 7‑13‑350, AS AMENDED, RELATING TO THE CERTIFICATION OF CANDIDATES, SO AS TO CHANGE THE DATE BY WHICH CANDIDATES FOR PRESIDENT AND VICE PRESIDENT MUST BE CERTIFIED TO THE STATE ELECTION COMMISSION FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY IN SEPTEMBER.

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

**CARRIED OVER**

H. 4886 -- Rep. Willis: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON FEBRUARY 17, 2012, BY THE STUDENTS OF FOUNTAIN INN ELEMENTARY SCHOOL OF GREENVILLE COUNTY SCHOOL DISTRICT, WHEN THE SCHOOL WAS CLOSED DUE TO BAT INFESTATION, IS EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

On motion of Senator VERDIN, the Joint Resolution was carried over.

**CARRIED OVER**

S. 1012 -- Senator Lourie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑5‑945 SO AS TO PROVIDE FOR THE DELEGATION OF A MILITARY PARENT’S VISITATION RIGHTS UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 63‑5‑960 SO AS TO PROVIDE FOR THIS STATE’S EXCLUSIVE CONTINUING JURISDICTION OVER AN ORDER OF CUSTODY DURING A MILITARY DEPLOYMENT FOR PURPOSES OF THE “UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT”; BY ADDING SECTION 63‑5‑970 SO AS TO RECOGNIZE A MILITARY FAMILY CARE PLAN FOR RESIDENCY PURPOSES DURING A MILITARY DEPLOYMENT FOR PURPOSES OF THE “UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT”; TO AMEND SECTION 63‑5‑930, RELATING TO THE TEMPORARY MODIFICATION OF A SUPPORT ORDER FOR THE DURATION OF A MILITARY PARENT’S MILITARY SERVICE, SO AS TO PROVIDE THAT A PROPERLY FILED NOTICE OF ACTIVATION AND ACCOMPANYING PETITION CONSTITUTES COMPLIANCE WITH 42 U.S.C., SECTION 666(a)(9)(C); AND TO AMEND SECTION 63‑5‑940, RELATING TO MUTUALLY AGREEABLE ARRANGEMENTS BETWEEN MILITARY AND NONMILITARY PARENTS PRIOR TO MOBILIZATION, SO AS TO PROVIDE THAT A NONDEPLOYED PARENT SHALL FACILITATE OPPORTUNITIES FOR TELEPHONIC AND ELECTRONIC COMMUNICATION BETWEEN A DEPLOYED PARENT AND CHILD.

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

**CARRIED OVER**

S. 1301 -- Senators Fair and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑11‑335 SO AS TO PROVIDE THAT TO ENSURE A REPRESENTATIVE GOVERNING BODY ABOVE A SIZE OF THREE, AN ELECTED GOVERNING BODY OF A PUBLIC SERVICE DISTRICT LOCATED WHOLLY IN ONE COUNTY WHICH PROVIDES WATER, SEWER, OR FIRE SERVICE WITHIN ITS SERVICE AREA MAY BE ENLARGED BY ADDITIONAL MEMBERS IN THE MANNER AND UNDER THE PROCEDURES SPECIFIED IN THIS SECTION.

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

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

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, the Senate agreed to dispense with the Motion Period.

**THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.**

**VETO CARRIED OVER**

(R135, H4723) -- Reps. Loftis, Corbin, Allen, Dillard, Hamilton, Henderson, Nanney, G.R. Smith, Stringer, Willis and Bannister: AN ACT TO AMEND ACT 848 OF 1954, RELATING TO THE CREATION OF THE BEREA WATER AND SEWER DISTRICT IN GREENVILLE COUNTY, SO AS TO ADD TWO ADDITIONAL MEMBERS TO THE GOVERNING COMMISSION AND PROVIDE FOR STAGGERING THEIR TERMS.

The veto of the Governor was taken up for immediate consideration.

On motion of Senator LARRY MARTIN, the veto was carried over.

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

**AMENDED, AMENDMENT PROPOSED**

**DEBATE INTERRUPTED**

H. 3241 -- Reps. Owens, Stringer, G.R. Smith, Harrison, Daning, Hamilton, Bingham, Long, Henderson, Atwater, Lucas, Clemmons, Cooper, Horne, Simrill, D.C. Moss, Sandifer, Harrell, Erickson, Norman, Barfield and Loftis: A BILL TO AMEND CHAPTER 40, TITLE 59 OF THE 1976 CODE RELATED TO CHARTER SCHOOLS, TO PROVIDE FOR AMENDED DEFINITIONS, SPONSORSHIP, APPLICATION AND CONVERSION PROCEDURES, POWERS, DUTIES, REGULATIONS, ENROLLMENT LIMITS, LIABILITY, AND RETIREMENT SYSTEM AVAILABILITY FOR CERTAIN EMPLOYEES; AND TO REVISE THE MEMBERSHIPS OF THE CHARTER SCHOOL ADVISORY COMMITTEE AND THE BOARD OF TRUSTEES OF THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL. *(ABBREVIATED TITLE)*

The Senate proceeded to a consideration of the Bill, the question being the adoption of Amendment No. 10 (DKA\3889SD12) proposed by Senator LEVENTIS and previously printed in the Journal of March 15, 2012.

Amendment No. 10 was carried over.

**Amendment No. 29A**

Senator HUTTO proposed the following Amendment No. 29A (NBD\12241DG12), which was adopted:

Amend the bill, as and if amended, SECTION 8, page 16, by striking Section 59‑40‑70(C), as contained on lines 4‑14 and inserting:

/ (C)(1) A ~~school district~~ board of trustees ~~only~~ or area commission shall deny an application only if the application does not meet the requirements specified in Section 59‑40‑50 or 59‑40‑60, fails to meet the spirit and intent of this chapter, or adversely affects~~, as defined in regulation,~~ the other students in the district in which the charter school is to be located. It shall provide, within ten days, a written explanation of the reasons for denial, citing specific standards related to provisions of Section 59‑40‑50 or 59‑40‑60 that the application violates. This written explanation immediately must be sent to the charter committee and filed with the State Board of Education and the Charter School Advisory Committee.

(2)(a) A local school board of trustees may deny an application if the charter school would adversely affect the other students in the district.

(b) The local school board of trustees must demonstrate adverse impact on students. The impact must be specific and must have a negative affect on students. If the local school board of trustees finds that the charter school would adversely affect other students of the district, the written explanation of the reasons for denial required by Section 59‑40‑70(C) must describe detrimental effects upon other students of the district.

(3) If the district is claiming an adverse impact based upon a reduction or redirection in funding due to the funding of the charter school, the district must demonstrate that the reduction or redirection of funds will have a direct negative impact on students.

(a) The district must show options it has considered in an effort to reduce the adverse financial impact of the charter school.

(b) The district has considered the net fiscal impact of the charter school, including the fiscal benefits that the charter school may bring to the district. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

**Amendment No. 32**

Senator CAMPSEN proposed the following Amendment No. 32 (DKA\4022SD12), which was carried over:

Amend the bill, as and if amended, page 24, Section 59‑40‑140 of the 1976 Code, as contained in SECTION 11, by adding after line 4 a new subsection to read:

/ (L) Notwithstanding the above provisions of this section, for purposes of computing the funding for any year to be provided a converted charter school under the provisions of this section, the computations required shall be made as provided in this section based on the previous year’s revenues, expenditures, and other applicable factors pertaining to that particular converted charter school, and also then shall be made as provided in this section for the year immediately preceding the previous year based on the revenues, expenditures, and other applicable factors for that year pertaining to that particular converted charter school. The funding of the converted charter school for the initial year shall be the average of the funding computed for these two prior years, and funding for the converted charter school after the initial year shall be provided by the school district in the same manner as regular public schools in the district. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

Senator LEVENTIS spoke on the amendment.

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

**Motion Adopted**

On motion of Senator O’DELL, with unanimous consent, Senators PEELER, REESE, FAIR and O’DELL were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**Amendment No. 13**

Senator CAMPSEN proposed the following Amendment No. 13 (3241R006.GEC), which was adopted:

Amend the bill, as and if amended, page 22, by striking lines 1-2 and inserting:

/ and must be outlined in the contract required pursuant to Section 59‑40‑70(F), except as otherwise provided or required by law. /

Amend the bill further, as and if amended, page 22, by striking line 40 and inserting:

/ option, or by any other means provided by law or otherwise, and hold and own in its own name /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

**Amendment No. 25**

Senator MATTHEWS proposed the following Amendment No. 25 (NBD\12232DG12), which was carried over:

Amend the bill, as and if amended, by deleting in its entirety Section 59‑40‑100(A), as contained in SECTION 9, page 17, lines 5‑25, and inserting:

/ (A)(1) Subject to item (2), an ~~An~~ existing public school may be converted into a charter school if two‑thirds of the faculty and instructional staff employed at the school and two‑thirds of all voting parents or legal guardians of students enrolled in the school agree to the filing of an application with the local school board of trustees for the conversion and formation of that school into a charter school. Parents or legal guardians of students enrolled in the school must be given the opportunity to vote on the conversion. Parents or guardians of a student shall have one vote for each student enrolled in the school seeking conversion. The application must be submitted pursuant to Section 59‑40‑70(A)(5) by the principal of that school or his designee who must be considered the applicant. The application must include all information required of other applications pursuant to this chapter. The local school board of trustees shall approve or disapprove this application in the same manner it approves or disapproves other applications. The existence of another charter granting authority must not be grounds for disapproving a school desiring to convert to a charter school.

(2) In addition to the vote requirements required in item (1), if a proposed conversion school has outstanding general obligation bond debt owed on it as determined by the local school board of trustees, and that debt is resulting from an ordinance or referendum originally authorizing the bonds, and the original authorization was no more than ten years prior to the proposed conversion, and the bonds were specifically issued for the construction or improvement of the proposed conversion school, the school may be converted into a charter school only upon a two-thirds vote of the local school board of trustees. /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

Senator RYBERG spoke on the amendment.

On motion of Senator COURSON, debate was interrupted by Executive Session.

Senator COURSON moved that the Senate go into Executive Session.

**EXECUTIVE SESSION**

On motion of Senator COURSON, the seal of secrecy was removed, so far as the same relates to an appointment made by the Governor and the following name was reported to the Senate in open session:

**STATEWIDE APPOINTMENT**

**Confirmation**

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2010, and to expire August 15, 2014

At-Large/Chairman:

Christopher N. Union, 788 Clearview Drive, Charleston, SC 29412 *VICE* T. Scott Smith

On motion of Senator RYBERG, the question was confirmation of Mr. Union.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McGill Nicholson O'Dell

Peeler Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Verdin Williams

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. Union was confirmed.

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Claire Starnes Chandler of Ninety Six Highway, beloved wife of Hubert Thompson Chandler. Mrs. Chandler passed away March 19, 2012, at Hospice House in Greenwood, S.C.

and

**MOTION ADOPTED**

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Joan Dennis “Granny O” O’Dell of Newberry, S.C., beloved wife of 58 years of Mr. William O. “Billy” O’Dell, devoted mother and doting grandmother and great-grandmother.

**ADJOURNMENT**

At 3:14 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 2:00 P.M.

**Recorded Vote**

Senator SHANE MARTIN desired to be recorded as voting against the motion to adjourn.

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