**Tuesday, June 23, 2015**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., 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:

In the “Song of Moses” that we find in Exodus we read:

“ ‘The Lord is my strength and my song; he has become my salvation’.” (Exodus 15:2)

Let us join our hearts together in prayer, good friends:

O God of Hope and Mercy, we pray today that you fill the heart of each Senator and of every staff member with the strength they need to continue focusing upon the business of our State. South Carolina -- this Senate Body -- Mother Emanuel Church -- nine families -- have endured so much pain in recent days. Our losses wrench our hearts; our songs have become faint. Yet we pray, Lord, that you will grant each person in this Chamber the fortitude to continue moving forward, to work harder than ever to achieve good for our people and to accomplish worthy ends. Moreover, lead us all here in South Carolina as we seek to overcome violence with peace, intolerance with understanding, ignorance with knowledge and hastiness with right action. In Your loving and hopeful name do we pray these things, O Lord. Amen.

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

**Leave of Absence**

At 1:00 P.M., Senator MALLOY requested a leave of absence for Senators SHANE MARTIN and BRYANT for Tuesday, June 23, 2015, through July 7, 2015.

**Leave of Absence**

On motion of Senator CAMPBELL, at 1:32 P.M., Senator CLEARY was granted a leave of absence for the balance of the day.

**THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.**

**H. 4230--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

H. 4230 -- Rep. White: A BILL TO AMEND H. 3701 OF 2015, THE ANNUAL GENERAL APPROPRIATIONS BILL FOR FISCAL YEAR 2015‑2016, SO AS TO MAKE SUPPLEMENTAL APPROPRIATIONS BY PROVIDING TARGETED INCREASES IN GENERAL FUND APPROPRIATIONS AND TO MAKE NECESSARY CONFORMING PROVISO AMENDMENTS AND PROVIDE FOR OTHER RELATED MATTERS.

On motion of Senator LEATHERMAN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator LEATHERMAN spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The Report of the Committee of Conference was adopted as follows:

**H. 4230--Conference Report**

The General Assembly, Columbia, S.C., June 19, 2015

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4230 ‑‑ Rep. White: A BILL TO AMEND H. 3701 OF 2015, THE ANNUAL GENERAL APPROPRIATIONS BILL FOR FISCAL YEAR 2015‑2016, SO AS TO MAKE SUPPLEMENTAL APPROPRIATIONS BY PROVIDING TARGETED INCREASES IN GENERAL FUND APPROPRIATIONS AND TO MAKE NECESSARY CONFORMING PROVISO AMENDMENTS AND PROVIDE FOR OTHER RELATED MATTERS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. (A) The source of revenue appropriated in subsection (B) is:

(1) additional recurring general fund revenue for Fiscal Year 2015‑16 totaling $150,000,000 as certified by the Board of Economic Advisors on May 29, 2015; and

(2) reductions in appropriations as contained in SECTION 5 of this act.

(B)(1) P32‑Department Of Commerce

Non‑Recurring Appropriations

Economic Development

Infrastructure $ 70,000,000

(2) F30‑Statewide Employee Benefits

Non‑Recurring Appropriations

Bonus Pay $ 23,500,000

From the funds appropriated to Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 16, 2015, the Department of Administration shall allocate to state agencies $23,500,000 to provide for a one‑time lump sum bonus. Each permanent state employee, in a full‑time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2015, and who earns less than $100,000 shall receive an $800 one‑time lump sum payment. This payment is not a part of the state employee’s base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee’s base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full‑time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee’s salary. The earnings limitation in Proviso 117.55 of H. 3701, R\_\_, Act \_\_ of 2015 does not apply to this bonus.

(3) U12‑Department of Transportation

Non‑Recurring Appropriations

County Transportation Committee

Road Program $ 70,499,995

The Department of Transportation shall distribute the $70,499,995 appropriated above for the County Transportation Committee Road Program pursuant to Section 12‑28‑2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state‑owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state owned system.

Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes.

(4) General Obligation Bond (G.O.)

Bonds Subject To Debt Service Limitation:

Economic Development Bonds $ 16,425,000

(5) L04‑Department Of Social Services

Programs And Services

Child Support Enforcement

Other Operating Expenses $ 1

(6) E23‑Commission On Indigent Defense

Office Of Circuit Public Defenders

Special Item:

Defense Of Indigents Per Capita $ 1

(7) J02‑Department Of Health And

Human Services

Medical Assistance Payment

Case Services

CLTC‑Community

Long‑Term Care $ 1

(8) J02‑Department Of Health And

Human Services

Medical Assistance Payment

Case Services

Coordinated Care $ 1

(9) J02‑Department Of Health And

Human Services

Medical Assistance Payment

Case Services

Behavioral Health Services $ 1

SECTION 2. (A) The source of the revenue appropriated in subsection (B) is additional Education Improvement Act revenue for Fiscal Year 2015‑16 totaling $21,500,000 as certified by the Board of Economic Advisors on May 29, 2015.

(B)(1) H63‑Department Of Education

Education Improvement Act

Modernize Vocational Equipment $ 6,538,722

Reading Coaches $ 4,961,278

EEDA $ 2,400,000

(2) H63‑Department Of Education

Education Improvement Act

Non‑Recurring Appropriations

Transition Payments $ 7,600,000

SECTION 3. (A) The source of revenue appropriated in subsection (B) is additional unobligated Fiscal Year 2014‑15 General Fund surplus revenues totaling the $150,196,281 as certified by the Board of Economic Advisors on May 29, 2015.

(B)(1) E04 ‑ Lieutenant Governor’s Office

Predatory Lending Education $ 250,000

Of the funds appropriated in this item for Predatory Lending Education, the Office on Aging shall develop a pilot program to assist seniors in improving their knowledge about finances and education about predatory lending practices.  The pilot shall include an assessment of the financial health of seniors in the pilot area which must be used to identify strategies to address the major concerns found through the assessment. The strategies should include, but are not limited to, the means of building awareness of senior financial resources. The Office on Aging shall provide the results of the pilot, as well as a recommended strategy for any expansion other areas of the State, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee no later than March 15, 2016.

(2) E24 ‑ Office of Adjutant General

Emergency Management Division

2014 Winter Storm Local

Matching Funds $ 4,117,162

From the funds appropriated in this item for 2014 Winter Storm Local Matching Funds, local governments shall receive allocations to offset storm cleanup expenses resulting from the winter storms during states of emergency declared by Executive Orders 2014‑06 and 2014‑11. Expenses eligible for reimbursement are those incurred by county and municipal governments and deemed eligible for reimbursement by the Federal Emergency Management Agency (FEMA), but were not reimbursed due to local match requirements. The amount reimbursed to each eligible local government shall be 25% of their Total Non‑Federal Aid Share. The intent of the General Assembly is for the local government to pay at least 75% of the Total Non‑Federal Aid Share.

(3) U12‑Department of Transportation

County Transportation Committee

Road Program $ 145,829,119

The Department of Transportation shall distribute the $145,829,119 appropriated above for the County Transportation Committee Road Program pursuant to Section 12‑28‑2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state‑owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state owned system.

Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 4. (A) The source of the revenue appropriated in subsection (B) is additional net education lottery proceeds for Fiscal Year 2015‑16 totaling $12,000,000 as certified by the Board of Economic Advisors on May 29, 2015.

(B)(1) H03‑Commission on Higher Education

Need Based Grants $ 2,600,000

(2) H63‑Department of Education

New Bus Purchases $ 2,400,000

SECTION 5. The Fiscal Year 2015‑16 appropriation to Aid to Subdivisions Department of Revenue for Distribution to Subdivisions: Aid to Counties‑Homestead Exemption Fund (X44) is reduced by $20,425,000.

The first 10,000,000 carried forward from Fiscal Year 2014-15 annual appropriations to Aid to Subdivisions Department of Revenue for Distribution to Subdivisions: Aid to Counties-Homestead Exemption Fund (X44) shall be credited to the Department of Transportation for distribution pursuant to Section 12‑28‑2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state-owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state-owned system.

SECTION 6. Excess debt service funds from Fiscal Year 2014‑15 must be carried forward and expended in Fiscal Year 2015‑16 to pay down general obligation bond debt for which the State (1) is paying the highest rate of interest, (2) will achieve relief in constrained debt capacity, or (3) reduce the amount of debt issued.

SECTION 7. The State Treasurer shall transfer $50,000,000 from general fund non‑tax sources to the South Carolina Transportation Infrastructure Bank to be utilized solely to leverage bonds to finance bridge replacement, resurfacing, and rehabilitation projects, and expansion and improvements to existing mainline interstates. The Department of Transportation shall develop and submit a list of bridge and road projects to the bank for its consideration. Transferred funds may not be used for projects approved by the bank prior to July 1, 2015. The bank shall submit all projects proposed to be financed through this provision to the Joint Bond Review Committee for approval prior to financing any proposed project.

SECTION 8. Notwithstanding any provision in this act to the contrary, Horry County may use up to $750,000 of its allocations pursuant to SECTION 1(B)(3), SECTION 3(B)(3), and SECTION 5 for the Horry‑Georgetown Evacuation Route.

SECTION 9. (A) As used in this proviso:

(1) “Eligible school” means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59‑65‑10 may be met, that:

(a) offers a general education to primary or secondary school students;

(b) does not discriminate on the basis of race, color, or national origin;

(c) is located in this State;

(d) has an educational curriculum that includes courses set forth in the state’s diploma requirements and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;

(e) has school facilities that are subject to applicable federal, state, and local laws; and

(f) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, or the South Carolina Independent Schools Association.

(2) “Exceptional needs child” means a child:

(a)(i) who has been evaluated in accordance with this state’s evaluation criteria, as set forth in S.C. Code Ann. Regs. 43‑243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or

(ii) who has been diagnosed within the last three years by a licensed speech‑language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student’s ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child’s unique needs; and

(b) the child’s parents or legal guardian believes that the services provided by the school district of legal residence do not sufficiently meet the needs of the child.

(3) “Independent school” means a school, other than a public school, at which the compulsory attendance requirements of Section 59‑65‑10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.

(4) “Nonprofit scholarship funding organization” means a charitable organization that:

(a) is exempt from federal tax pursuant to Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the code;

(b) allocates, after its first year of operation, at least ninety‑seven percent of its annual contributions and gross revenue received during a particular year to provide grants for tuition to children enrolled in an eligible school meeting the criteria of this proviso, and incurs administrative expenses annually, after its first year of operation, of not more than three percent nor more than $200,000 in the aggregate, whichever is less, of its annual contributions and revenue for a particular year to cover operational costs;

(c) allocates all of its funds used for grants on an annual basis to children who are exceptional needs students;

(d) does not provide grants solely for the benefit of one school, and if the Department determines that the nonprofit scholarship funding organization is providing grants to one particular school, the tax credit allowed by this proviso may be disallowed;

(e) does not have as a volunteer, contractor, consultant, fundraiser or member of its governing board any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this proviso from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member;

(f) does not have as a member of its governing board or an employee, volunteer, contractor, consultant, or fundraiser who has been convicted of a felony;

(g) does not release personally identifiable information pertaining to students or donors or use information collected about donors, students or schools for financial gain; and

(h) must not place conditions on schools enrolling students receiving scholarships to limit the ability of the schools to enroll students accepting grants from other nonprofit scholarship funding organizations.

(5) “Parent” means the natural or adoptive parent or legal guardian of a child.

(6) “Person” means an individual, partnership, corporation, or other similar entity.

(7) “Qualifying student” means a student who is an exceptional needs child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the applicable school year.

(8) “Resident public school district” means the public school district in which a student resides.

(9) “Transportation” means transportation to and from school only.

(10) “Tuition” means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school, textbook fees, and school‑related transportation.

(11) “Department” means the Department of Revenue.

(B)(1) A person is entitled to a tax credit against income taxes imposed pursuant to Chapter 6, Title 12, or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this proviso if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

(b) the person does not designate a specific child or school as the beneficiary of the contribution.

(2) An individual is entitled to a refundable tax credit against income taxes imposed pursuant to Chapter 6, Title 12, or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities, not exceeding ten thousand dollars per child, the individual contributes as tuition for exceptional needs children within their custody or care and enrolled in eligible schools who qualify for these grants under the provisions of this proviso. The cumulative maximum total for credits authorized by this subitem may not exceed four million dollars. However, if a child within the care and custody of an individual receives a tuition scholarship from a nonprofit scholarship funding organization, then the individual may only claim a credit equal to the difference of ten thousand dollars or the cost of tuition, whichever is lower, and the amount of the scholarship.

(C) Grants may be awarded by a scholarship funding organization in an amount not exceeding ten thousand dollars or the total cost of tuition, whichever is less, for qualifying students with exceptional needs to attend an independent school. Before awarding any grant, a scholarship funding organization must receive written documentation from the parent documenting that the qualifying student is an exceptional needs child. Upon approving the application, the scholarship funding organization must issue a check to the eligible school in the name of the qualifying student. In the event that the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school must return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student’s departure.

(D)(1)(a) The tax credits authorized by subsection (B) may not exceed cumulatively a total of twelve million dollars for contributions made on behalf of exceptional needs students. If the department determines that the total of such credits claimed by all taxpayers exceeds either limit amount, it shall allow credits only up to those amounts on a first come, first served basis.

(b) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. Subject to the provisions of item (5), contributions must be made on or before June 30, 2016, in order to claim the credit. The credit must be claimed on the return for the tax year that the contribution is made.

(2) A taxpayer may not claim more than sixty percent of their total tax liability for the year in contribution toward the tax credit authorized by subsection (B)(1). This credit is not refundable.

(3) If a taxpayer deducts the amount of the contribution on the taxpayer’s federal return and claims the credit allowed by this proviso, then the taxpayer must add back the amount of the deduction for purposes of South Carolina income taxes.

(4) The department shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (B). Also, the department shall develop a method of informing taxpayers if the credit limit is met at any time during Fiscal Year 2015‑16.

(5) A person only may claim a credit pursuant to subsection (B) for contributions made between July 1, 2015, and June 30, 2016.

(E) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the credit authorized by this proviso to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(F) Except as otherwise provided, neither the Department of Education, the Department of Revenue, nor any other state agency may regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to this proviso.

(G)(1) By August 1, 2015, each independent school must apply to the Education Oversight Committee to be considered an eligible institution for which it may receive contributions from a nonprofit scholarship funding organization for which the tax credit allowed by this proviso is allowed. The Education Oversight Committee, as established in Chapter 6, Title 59, is responsible for determining if an eligible school meets the criteria established by subsection (A)(1), and shall publish an approved list of such schools meeting the criteria. If an independent school does not apply to be an eligible school, the independent school may not be published as an approved school, and contributions to that school shall not be allowed for purposes of the credit allowed by this proviso. The Education Oversight Committee must publish the approved list of schools on its website by September first of each year, and the list must include their names, addresses, telephone numbers, and, if available, website addresses. Also, the score reports and audits received by the Education Oversight Committee pursuant to items (2)(b) and (c) must be published with the list. The Education Oversight Committee shall summarize or redact the score reports if necessary to prevent the disclosure of personally identifiable information. For this purpose, it also shall promulgate regulations further enumerating the specifics of this criteria. In performing this function, the Education Oversight Committee shall establish an advisory committee made up of not more than nine members, including parents, and representatives of independent schools and independent school associations. The advisory committee shall provide recommendations to the Education Oversight Committee on the content of these regulations and any other matters requested by the Education Oversight Committee.

(2) An independent school’s application for consideration as an eligible institution must contain:

(a) the number and total amount of grants received from each nonprofit scholarship funding organization in the preceding fiscal year;

(b) Student test scores, by category, on national achievement or state standardized tests, or both, for all grades tested and administered by the school receiving or entitled to receive scholarship grants pursuant to this proviso in the previous fiscal year;

(c) a copy of a compilation, review, or compliance audit of the organization’s financial statements, conducted by a certified public accounting firm; and

(d) a certification by the independent school that it meets the definition of an eligible school as that term is defined in subsection (A)(1) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16‑9‑10.

(3) Any independent school not determined to be an eligible school pursuant to the provisions of this proviso may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court’s rules of procedure.

(4) The Education Oversight Committee, after consultation with its nine‑member advisory committee, may exempt an independent school having students with exceptional needs who receive scholarship grants pursuant to this proviso from the curriculum requirements of subsection (A)(1)(d).

(H)(1) By August first of each year, each nonprofit scholarship funding organization must apply to the department to be considered an eligible organization for which its contributors are allowed the tax credit allowed by this proviso. If a nonprofit scholarship funding organization does not apply, the organization may not be published as an approved organization, and contributions to that organization shall not be allowed for purposes of the credit allowed by this proviso. A nonprofit scholarship funding organization’s application must contain:

(a) the number and total amount of grants issued to eligible schools in the preceding fiscal year;

(b) for each grant issued to an eligible school in the preceding fiscal year, the identity of the school and the amount of the grant;

(c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;

(d) a copy of the organization’s Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;

(e) a copy of a compilation, review, or audit of the organization’s financial statements, conducted by a certified public accounting firm;

(f) the criteria and eligibility requirements for scholarship awards; and

(g) a certification by the organization that it meets the definition of a nonprofit scholarship funding organization as that term is defined in subsection (A)(4) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16‑9‑10.

(2) By receiving the application materials and approving the organization as an eligible organization pursuant to item (1), the department is not determining that the organization meets all of the requirements of a qualified nonprofit scholarship funding organization and the organization remains subject to examination as provided for pursuant to subsection (I).

(3) The department has authority to disclose the names of qualifying nonprofit scholarship funding organizations to the Education Oversight Committee. The department also may disclose to the Education Oversight Committee the names of organizations that applied but were not qualified by the department and those organizations whose eligibility has been revoked in accordance with subsection (I)(2), as well as the reason the application of the organization was not accepted or the reason its qualification was revoked.

(4) By September first of each year, the Education Oversight Committee must publish on its website a list of all qualifying nonprofit scholarship funding organizations, provided by the department, to include their names, addresses, telephone numbers, and, if available, website addresses. Also, the results of the audit required by item (1)(e) must be published with the list.

(I)(1) The department has authority to oversee, audit, and examine the nonprofit scholarship funding organizations, including determining whether the nonprofit scholarship funding organization is being operated in a manner consistent with the requirements for an IRC Section 501(c)(3) organization or is in compliance with any other provision of this proviso.

(2)(a) If at any time during the year, the department has evidence, through audit or otherwise, that a nonprofit scholarship funding organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other provision of this proviso, the department may immediately revoke the organization’s participation in the program and must notify the organization and the Education Oversight Committee in writing of the revocation.

(b) Notice of Revocation may be provided to the organization by personal delivery to the organization, by first class mail to the last known address of the organization, or by other means reasonably designed to provide notice to the organization.

(c) Any donations made following the date the notice of revocation is received by the organization or in the case of delivery by mail ten days after the notice of revocation was mailed, will not qualify for the credit and the donated funds must be returned to the donor by the organization. This proviso shall not limit the department’s authority to deny any tax credit or other benefit provided by this proviso if the circumstances warrant.

(d)(i) Within thirty days after the day on which the organization is notified of the revocation, the organization may request a contested hearing before the Administrative Law Court. Within thirty days after a request for a contested case hearing is received by the Administrative Law Court, an administrative law judge shall hold the contested case hearing and determine whether the revocation was reasonable under the circumstances. The department has the burden of proof of showing that the revocation was reasonable under the circumstances. The revocation is “reasonable” if the department has some credible evidence to believe that the organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other provision of this proviso. The decision made by the administrative law judge is final and conclusive and may not be reviewed by any court. If the organization does not request a contested case hearing within thirty days of the immediate revocation, the revocation shall become permanent.

(ii) If the administrative law judge determines that the revocation was reasonable, the administrative law judge shall remand the case to the department to issue a department determination for permanent revocation within the time period determined by the judge. The organization may appeal this department determination in accordance with Section 12‑60‑460. At the contested case hearing on the department determination, the parties can raise new issues and arguments in addition to those issues and arguments previously presented at the revocation hearing.

(iii) If the administrative law judge determines that immediate revocation is not reasonable, the revocation shall be lifted and the organization may resume accepting donations and award scholarships hereunder. The department may still issue a department determination in accordance with Section 12‑60‑450(E)(2).

(iv) If at any time during the process, the department believes the organization is in compliance, the department, in its sole discretion, may reinstate the organization and notify the Education Oversight Committee.

(v) Following the permanent revocation of a nonprofit scholarship funding organization, the Education Oversight Committee has the authority to oversee the transfer of donated funds of the revoked organization to other nonprofit scholarship funding organizations.

(J) A nonprofit scholarship funding organization may transfer funds to another nonprofit scholarship funding organization, especially in the event that the organization cannot distribute the funds in a timely manner or if the organization ceases to exist. None of the funds that are transferred by one nonprofit scholarship funding organization to another may be considered by the former organization when calculating its administrative expenses.

SECTION 10. The supplemental appropriations, reductions, and provisions contained in this act shall be combined with the provisions of H. 3701 of 2015, the general appropriations bill for Fiscal Year 2015‑16, and be incorporated into Part IA and Part IB of the detail base budget for the succeeding fiscal year.

SECTION 11. All acts or parts of acts inconsistent with any of the provisions of Sections 1 through 9 of this act are suspended for Fiscal Year 2015‑16.

SECTION 12. If any part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other parts, sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 13. Except as otherwise specifically provided, this act takes effect July 1, 2015. /

Amend title to read:

/TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2015‑2016, AND TO PROVIDE FOR OTHER RELATED MATTERS. /

/s/Sen. Hugh K. Leatherman, Sr. /s/Rep. W. Brian White

/s/Sen. Nikki G. Setzler /s/Rep. Michael A. Pitts

/s/Sen. Harvey S. Peeler, Jr. /s/Rep. William Clyburn

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 23, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 4230 -- Rep. White: A BILL TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2015‑2016, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Very respectfully,

Speaker of the House

Received as information.

**H. 3701--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

H. 3701 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

On motion of Senator LEATHERMAN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator LEATHERMAN spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

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

**Ayes 41; Nays 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

Matthews McElveen Nicholson

O'Dell Peeler Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

Bright

**Total--1**

The Report of the Committee of Conference was adopted as follows:

**H. 3701--Conference Report**

The General Assembly, Columbia, S.C., June 19, 2015

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3701 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Report of the Committee of Conference (as contained in Doc. No. H:\LEGWORK\CONFREPORTS\AGM\3701C001.AGM.DG15.docx) was incorporated herein by reference and adopted.

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 23, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3701 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

**H. 3701--REPORT OF COMMITTEE OF CONFERENCE**

**ENROLLED FOR RATIFICATION**

H. 3701 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

, and a message was sent to the House accordingly.

**H. 3702--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

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

On motion of Senator LEATHERMAN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator LEATHERMAN spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

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

**Ayes 41; Nays 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

Matthews McElveen Nicholson

O'Dell Peeler Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

Bright

**Total--1**

The Report of the Committee of Conference was adopted as follows:

**H. 3702--Conference Report**

The General Assembly, Columbia, S.C., June 19, 2015

The COMMITTEE OF CONFERENCE, to whom was referred:

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

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2014‑2015 the following amounts:

(1) H51 ‑ Medical University of South

Carolina Children’s Hospital $ 25,000,000

(2) H63 ‑ Department of Education

School Bus Lease or Purchase $ 12,610,000

(3) H63 ‑ Department of Education

Integrated Teacher Certification

and Compensation System $ 1,600,000

(4) R44 - Department of Revenue

Integrated Tax System

Implementation $ 6,000,000

(5) K05 ‑ Department of Public Safety

Body Armor Replacement $ 800,000

(6) K05 ‑ Department of Public Safety

Law Enforcement Vehicles $ 1,000,000

(7) B04 ‑ Judicial Department

Disaster Recovery Plan $ 2,500,000

(8) H59 - State Board For Technical and

Comprehensive Education

Trident Technical College

Workforce Training

Equipment $ 1,000,000

(9) H59 ‑ State Board for Technical and

Comprehensive Education

Workforce Pathways

Instructional Materials $ 1

(10) H59 ‑ State Board for Technical and

Comprehensive Education

Tri‑County Technical College

Engineering and Industrial

Technology Program $ 1,500,000

(11) H59 - State Board for Technical and

Comprehensive Education

Central Carolina Technical

College Workforce Center $ 1,300,000

(12) H59 ‑ State Board for Technical and

Comprehensive Education

Orangeburg Calhoun Technical

College Upgrade Technology

Infrastructure and Security

Systems $ 1,000,000

(13) H09 ‑ The Citadel

Deas Hall and Equipment $ 966,484

(14) H27 ‑ University of South Carolina ‑

Columbia Campus

Honors College Technology

Equipment $ 500,000

(15) H27 ‑ University of South Carolina ‑

Columbia Campus

Honors College Laboratory

Equipment $ 430,000

(16) H47 ‑ Winthrop University

Withers Roof $ 2,000,000

(17) P28 ‑ Department of Parks, Recreation

and Tourism

State Aquarium Renovation $ 1,000,000

(18) E28 ‑ Election Commission

Presidential Preference Primaries $ 2,200,000

(19) H59 ‑ State Board for Technical and

Comprehensive Education

Northeastern Technical College ‑

Industrial Training Center

Renovations $ 1,500,000

(20) H59 ‑ State Board for Technical and

Comprehensive Education

York Technical College ‑ Loop

Road Completion $ 1,400,000

(21) H59 ‑ State Board for Technical and

Comprehensive Education

Horry‑Georgetown Technical

College ‑ Advanced

Manufacturing Center $ 1,500,000

(22) H59 ‑ State Board for Technical and

Comprehensive Education

Aeronautical Training Center $ 20,000,000

(23) H59 ‑ State Board for Technical and

Comprehensive Education

Piedmont Technical College ‑

Phase III Center for

Advanced Manufacturing $ 1,500,000

(24) H59 ‑ State Board for Technical and

Comprehensive Education

Central Carolina Technical

College ‑ Kershaw Campus $ 1,500,000

(25) H59 ‑ State Board for Technical and

Comprehensive Education

Denmark Technical College ‑

Building #200 and #300

Renovations $ 1,400,000

(26) H59 ‑ State Board for Technical and

Comprehensive Education

Technical College of the

Lowcountry ‑ New River

Campus Road

Improvements $ 500,000

(27) H09 ‑ The Citadel

Byrd Hall Organic Chemistry Lab

Renovation $ 1,355,300

(28) H12 ‑ Clemson University ‑ Education

and General

Business and Behavioral

Science Building $ 5,000,000

(29) H15 ‑ University of Charleston

Stern Center Repurposing $ 1,750,000

(30) H21 ‑ Lander University

Montessori Education Building $ 1,000,000

(31) H27 ‑ University of South Carolina ‑

Columbia Campus

Old Law School Renovation $ 3,500,000

(32) H27 ‑ University of South Carolina ‑

Columbia Campus

South Caroliniana Library $ 5,000,000

(33) P28 ‑ Department of Parks,

Recreation and Tourism

State Welcome Centers

Renovations $ 1,000,000

(34) J02 ‑ Department of Health and

Human Services

MMIS Replacement $ 5,039,189

(35) J02 ‑ Department of Health and

Human Services

Statewide Telemedicine

Infrastructure $ 1

(36) H67 - Educational Television

Commission

Capital Needs $ 1,000,000

(37) H03 - Commission on Higher

Education

Out‑of‑State Veteran Tuition

Reimbursement-Colleges $ 1

(38) P16 ‑ Department of Agriculture

Consumer Protection Equipment $ 1,000,000

(39) U12 - Department of Transportation

Facility Maintenance and

Renovation $ 870,000

(40) P20 - Clemson University - PSA

Agriculture and Natural Resources

Field Facilities $ 1,500,000

(41) H18 - Francis Marion University

Student Academic System

Computer Software $ 1,500,000

(42) H17 - Coastal Carolina University

Maintenance: Critical Care and

Repair (1:1 Match) $ 479,723

(43) H24 - South Carolina State

University

Maintenance and Demolition $ 646,817

(44) H29 - University of South Carolina

Aiken Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 342,807

(45) H34 - University of South Carolina

Upstate Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 476,624

(46) H36 - University of South Carolina

Beaufort Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 142,154

(47) H37 - University of South Carolina

Lancaster Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 262,406

(48) H38 - University of South Carolina

Salkehatchie Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 69,411

(49) H59 - State Board for Technical and

Comprehensive Education

readySC $ 4,249,000

(50) D10 - State Law Enforcement Division

Vehicles $ 900,000

$127,789,918

SECTION 2. Funds appropriated above in Section 1, Item (39) to the Department of Transportation shall be used to fund the Orangeburg District Office Building Renovation, Clarendon County Maintenance Complex Construction, SHEP Greenville/Spartanburg Office Construction, and Lexington Maintenance Complex Construction.

SECTION 3. Of the funds appropriated above in Section 1 to institutions of higher learning entitled “Maintenance: Critical Care and Repair (1:1 Match)”, each institution shall use the amount appropriated only for critical repair and related maintenance and/or other critical equipment and systems repair and maintenance that are necessary for the safe and efficient operation of an institution’s physical plant in its support of the institution’s educational purpose.

Funds must not be used for new construction and may only be utilized by an institution to the extent the funds are matched by the institution for necessary repair and maintenance projects generally.

Matching funds exclude supplemental, capital reserve, lottery, or non‑recurring state funds appropriated to an institution either in the current fiscal year or from a prior fiscal year for repair and maintenance or maintenance projects.

Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement, including the sources of funds utilized to meet this requirement.

Not later than 120 days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to the same matching requirement.

SECTION 4. Of the items contained within this joint resolution, any item funded in the total amount of $1 shall lapse to the general fund on the effective date of this act.

SECTION 5. Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11‑11‑320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 6. This joint resolution takes effect thirty days after the completion of the 2014‑2015 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(D)(1) of the 1976 Code. /

Amend title to conform.

/s/Sen. Hugh K. Leatherman, Sr. /s/Rep. W. Brian White

/s/Sen. Nikki G. Setzler /s/Rep. Michael A. Pitts

/s/Sen. Harvey S. Peeler, Jr. /s/Rep. William Clyburn

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 23, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

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

Very respectfully,

Speaker of the House

Received as information.

**H. 3702--REPORT OF COMMITTEE OF CONFERENCE**

**ENROLLED FOR RATIFICATION**

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

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

, and a message was sent to the House accordingly.

**THE SENATE PROCEEDED TO THE *SINE DIE* RESOLUTION.**

**INTRODUCED AND ADOPTED**

S. 895 -- Senators Leatherman, Malloy, Sheheen, McElveen and Kimpson: A CONCURRENT RESOLUTION TO PROVIDE THAT IN ADDITION TO THE MATTERS WHICH MAY BE CONSIDERED BY THE GENERAL ASSEMBLY AFTER JUNE 18, 2015, PURSUANT TO H. 4274 OF 2015, LEGISLATION CONCERNING THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA AND SURROUNDING ARRANGEMENT LOCATED AT THE CONFEDERATE SOLDIER MONUMENT ON THE GROUNDS OF THE STATE CAPITOL COMPLEX ALSO MAY BE INTRODUCED, RECEIVED, AND CONSIDERED BY EACH BODY OF THE GENERAL ASSEMBLY PRIOR TO SINE DIE ADJOURNMENT.

The Senate proceeded to a consideration of the Concurrent Resolution.

Senator LEATHERMAN spoke on the Concurrent Resolution.

Senator THURMOND spoke on the Concurrent Resolution.

**Remarks by Senator THURMOND**

I have grieved the loss of my friend and colleague, the Senator from Jasper, Senator CLEMENTA PINCKNEY, along with his eight sisters and brothers. I needed time to mourn the loss of my friend and my fellow Charlestonians. The vigil that Senator KIMPSON and I attended was powerful and beautiful. I feel that I am at a place after thought and prayer to try to find the words to maybe make a difference with you and others.

When I think of the Senator from Jasper, I think of how he touched me with that wonderful biblical speech of Thomas during our body camera debate. It was described as his finest moment, yet it was only a few weeks ago. He had so much more to offer, yet was taken too soon, just at the age of 41. I am selfish, because I don’t want us to lose him. I want him to continue to be the pastor, husband, father, and public servant that he is. When tragedy strikes, even Christians ask why. Why did this happen? Why would someone have so much hate in their heart that they would hurt others? I can’t comprehend the hate that was visited upon the Holy City, but I can respond with love and unity and kindness and maybe show others that their motivation for future attacks of hate will not be tolerated, will not result in a race war, will not divide us, but rather will strengthen our resolve to come together as one nation, one state, and one community under God.

It is my understanding that the bible study that Senator PINCKNEY was leading focused on Mark 4: 4-8. This passage discusses a farmer who is sowing his seeds for a crop. It describes how some seeds were eaten by birds, and other seeds were put in places where they couldn’t grow due to poor soil or thorns, but still others made it to good soil and they were able to grow a crop and multiply 30, 60, and 100s of times. This passage for me describes our work as public servants. There are times where we have ideas that sprout up quickly, only to realize that we haven’t had enough foundation to grow and as such, the idea is discarded. There are ideas that special interest predators fly in and devour. And then sometimes the ground is fertile and the time is right for there to be growth. I think the time is right and the ground is fertile for us to make progress as a State to come together and remove the Confederate Battle Flag from the prominent statue outside the State House and put it in a museum. It is time to acknowledge our past, atone for our sins and work toward a better future. That future must be built on symbols of peace, love and unity. That future cannot be built on symbols of war, hate and divisiveness.

As lawyers, we are taught to see issues from both sides, and so I want to discuss what I perceive to be both sides to make it clear that I have reviewed this position and am not simply reacting. On the one side, some feel that the flag represents oppression and is a constant reminder of the old south and slavery. I understand why many citizens of South Carolina feel that way. On the other hand, some say that the Confederate Battle Flag represents the South’s heritage and ancestry. Let’s talk about the heritage aspect. My family has been in South Carolina for many generations. I was told that my great-grandfather was with General Lee when he surrendered at Appomattox. I am aware of my heritage. But my appreciation for the things my forbearers accomplished to make my life better doesn’t mean that I must believe that they always made the right decisions, and for the life of me, I will never understand how anyone could fight a civil war based in part on the desire to continue the practice of slavery. Think about it for just a second, our ancestors were literally fighting to continue to keep human beings as slaves, and continue the unimaginable acts that occur when someone is held against their will. I am not proud of that heritage. These practices were inhumane and were wrong, wrong, wrong. Now we have these hate groups and the symbols they use to remind African Americans that things haven’t changed and that they are still viewed as less than equal human beings. Well let me tell you things have changed. Overwhelmingly, people are not being raised to hate or to believe they are superior to others based on the color of their skin. My generation was raised to respect all people of every race, religion and gender.

I have often wondered what is my purpose here in the Senate? I have asked God to guide me and to strengthen me. I have prayed that I will be able to make a difference for this State. I have prayed that I will leave this place better for the future generations. I am proud to take a stand and no longer be silent. I am proud to be on the right side of history regarding the removal of this symbol of racism and bigotry from the State House. But let it not satisfy us to stop there. Justice by halves is not justice. We must take down the Confederate Battle Flag and we must take it down now. But if we stop there, we have cheated ourselves out of an opportunity to start a difficult conversation about healing in our State. I am ready. Let us start the conversation.

On motion of Senator KIMPSON, with unanimous consent, the remarks of Senator THURMOND were ordered printed in the Journal.

Senator CAMPSEN spoke on the Concurrent Resolution.

Senator JACKSON spoke on the Concurrent Resolution.

**Remarks by Senator CAMPSEN**

*“To be a Christian means to forgive the inexcusable because God has forgiven the inexcusable in you.”* C.S. Lewis

Sunday evening, while participating in the Bridge to Peace event, my sister witnessed an act that encapsulates Charleston’s reaction to the brutal Emanuel AME Church murders. While 15,000 held hands in unity across the Ravenel Bridge, a man stretched his hands toward heaven and declared at the top of his lungs, “This is how we riot in Charleston!”

This man personifies why we should be proud of how Charleston has dealt with this unspeakable tragedy -- as do the victims’ families with their statements of forgiveness and charity toward their loved ones’ murderer. In human terms the families’ responses are inexplicable. It is not until I reflect upon the above quote by atheist turned Christian philosopher, C.S. Lewis, that it makes any sense at all.

Their response is a Christian response. It flows from the gospel’s message of sin separating us from a holy God, Christ paying the penalty for these sins, and offering reconciliation with God. Having been forgiven of much empowers the forgiven to liberally forgive in kind.

When the debate leading up to the removal of the Confederate flag from the Capitol dome in 2000 erupted, I was one of only two Republican members of the General Assembly that supported its removal. I did so for one simple reason. It did not meet the criterion flags must meet to fly over a Capitol. The timeless and universal criterion for a flag to fly atop a Capitol is that it be the flag of an existing government that has jurisdiction over the people. I was captive to that logic. The flag failed the test, so I argued for its removal on these grounds.

My late father, George Campsen, Jr., was in the General Assembly when the flag was placed over the dome in 1962. In 2000 he organized over 90% of the surviving members of the 1962 General Assembly, along with several former governors, to sign a petition he drafted. It indicated they placed the flag over the dome to commemorate the four-year centennial of the Civil War and had simply neglected to provide a take down date. Their intention was never to fly the flag indefinitely. They petitioned the General Assembly to remove the flag from the dome, which it did later that year.

Syndicated columnist George Will referred to these arguments as “the Solomonic solution” to the flag debate.

This history is relevant because it constituted common ground to remove the flag from the dome in 2000. In light of Charleston’s reaction to the Emanuel AME Church shootings, I suggest common ground likewise exists today for removal of the flag from the State House grounds.

The common ground of which I speak transcends and is more powerful than issues of race and heritage. It is yet another biblical principle found in Romans 14:19, “Pursue what makes for peace and mutual upbuilding.”

The witness of Emanuel AME Church pursuing peace and mutual upbuilding demonstrates that love is greater than hate. Congregants at St. Michaels, St. Philips, First Baptist and other Charleston churches followed their lead when they literally encircled the church Sunday morning, bathing it in prayer as the Emanuel congregation courageously refused to permit evil to keep them from worshiping. Sunday night the Charleston community demonstrated an outpouring of unity when over 15,000 held hands across the Ravenel Bridge. The unknown man who declared, “This is how we riot in Charleston,” and many others, followed suit.

In responding to this tragedy let us not focus upon what outsiders say. Let us focus upon us, the relationships in our communities and State. Let us follow the examples set before us. If the Confederate flag on our State House grounds upsets a significant number of citizens, let’s remove it in the name of peace and mutual upbuilding. Let’s do this as a reciprocal act of charity and grace extended to the fallen, their families, and the congregants of my friend and colleague, Senator CLEMENTA PINCKNEY. They have demonstrated inimitable forgiveness, charity and grace before God and a watching world. Both in life and in death they have shown us how to love, forgive and pursue peace and mutual upbuilding. It is now our turn to follow their example.

On motion of Senator KIMPSON, with unanimous consent, the remarks of Senator CAMPSEN were ordered printed in the Journal.

**Remarks by Senator JACKSON**

Thank you Mr. PRESIDENT, and members of the Senate. My original thought was that I was not going to say anything else, and I am reminded of what my good friend Senator PEELER often says, that sometimes the best thing to do is be brief and quick, so I hope to do that, but I do want to share -- perhaps put some things in context and in perspective.

I was first elected into the Senate as a young man at the age of 34 years old. At the time, when I walked in the door, there were four Confederate flags in this building. I want to help you understand the magnitude of the compromise that was reached in 2000 because I think in this process, that was lost. People say you signed and you co-authored the compromise. They look at it, Senator SCOTT, as if it was something bad, but in particular those that were so young don’t understand what we actually had to go through. Imagine a 34 year old walking in this building and in the first floor lobby, there was a Confederate flag. On the dome of the Capitol there was a Confederate flag. For a great deal of time, I would purposely miss the prayer and the Pledge of Allegiance because it was so painful to put my hand over my heart and say the Pledge of Allegiance to the United States flag and look at that same flag.

That history cuts both ways. In the year 2000, when my great friend -- Senator McCONNELL, and many others, the great legendary leader we have here today, Senator MATTHEWS, Senator PATTERSON and others -- when we signed that compromise it was tough, it was very tough. I think it’s important to put it in perspective. My great-great-uncle on the opposite side, and I said this to the late Senator VERNE SMITH when Sherman marched through Columbia, he joined Sherman’s band. He then had a family and he named his son Sherman -- and so history is “his-story” and from my family’s perspective his story was William T. Sherman was a great liberator. I was proud of this body in 2000 when we signed in the Heritage Act because here is what we did. We put one flag by the monument and took four other flags that were on the building and inside the building down. We substituted one flag for four flags -- we substituted four for one. That to me was progress. But as I prepare to take my seat, I will tell you that I never thought that was the end. You remember, Senator COURSON, the speech that I made at this podium on the floor as we debated that in 2000 that has since given me so many challenges with my friends. I stood here and said, “I love the NAACP.” I said, “I’m a life time member, my grandfather was a member,” but I love the State of South Carolina, and we must do the right thing. We did the right thing in the year 2000 and we are doing the right thing right now. I knew it was not finished, I knew that would not be the end. I hoped and prayed that I would be in the Senate long enough, Senator HAYES, to see what we are doing today, and that day has come. Although I did not want to say anything, I am compelled to say that I am so glad.

I leave you with words of the Apostle Paul with his words to the Galatians who were discouraged, and they were considering giving up, and he writes in Galatians 6:9, “Let us not become weary when we are doing good, for in due time or at the right time we will reap a harvest if we just don’t faint.” I am so glad that we did not faint and that we are now able to reach our harvest. I am proud of this body. I love this State Senate. Thank God for bi-partisan leadership that will do the right thing. God bless this Senate. God bless all of you.

On motion of Senator KIMPSON, with unanimous consent, the remarks of Senator JACKSON were ordered printed in the Journal.

Senator KIMPSON spoke on the Concurrent Resolution.

**Remarks by Senator KIMPSON**

Thank you Mr. PRESIDENT, members of the Senate. I rise as the Senator of District 42, the place of the Charleston massacre. I want to provide you an update from Senate District 42 and surrounding areas. Citizens of Charleston are resilient, strong, tenacious people who are persevering through this great tragedy. We applaud what this body is discussing here. As my colleague, Senator THURMOND just mentioned, we have attended several vigils. I have spoken with Reverend Goff, Presiding Elder of the AME Church. Funeral arrangements have been made. I have been in consultation with Reverend Nelson Rivers who is on the ground administering spiritual healing to the families.

But I just want to take a moment to talk about Mother Emanuel. Mother Emanuel is our sanctuary. It is the sanctuary for the devout who through vandalism, fire, earthquake, hurricane and depression sacrificed to maintain an ornate, beautiful and maintained tabernacle for the glory of God. It is a sanctuary for activists who from its august pulpit called for justice and humanity. There was no greater man of God more qualified to speak from the same pulpit that Dr. Martin Luther King, Jr. once spoke, than our colleague, Senator CLEMENTA PINCKNEY. He understood the meaning of the sanctuary as a safe and sacred place for worship, for peace, for organization and action. Yes, and it was in his sanctuary, our sanctuary, that God took his hand and the hands of Cynthia Hurd, Reverend DePayne Middleton-Doctor, Reverend Daniel Simmons, Sr., Sharonda Singleton, Susie Jackson, Tywanza Sanders, Myra Thompson, and Ethel Lance. God took their hands as a reward for a lifetime of service to His glory.

I say that Mother Emanuel was our sanctuary because it is literally the oldest and greatest mother church for Christianity as practiced by African Americans in South Carolina and throughout the south. Moreover, it is a place where people of all races organize and commemorate -- where we relax our souls to listen for God. Mother Emanuel is a church for all of us and it belongs to all of us. So when evil walks inside our sanctuary, takes a seat, listens to the word of God, and then proceeds to violently violate our refuge, one might ask the question where is God? Where is God when people of faith, young and old, gather in His house and then evil massacres in a welcoming and trusting place where people should feel most safe? Where is God, in a city rich with history but also steeped in a historical racial division. A coward steps into God’s house and inflames racial tensions by killing and murdering nine black worshipers. Where is God, when the red carpets of this notable edifice built to His glory is stained with the blood of its pastor and its parishioners? Where is God? I’ll tell you where God is. Mother Emanuel itself is the answer to the question. The word Emmanuel is Hebrew for “God is with us.” So where is God? God is Emmanuel. God is with us. God was there in our sanctuary where our Mother Emanuel provided refuge to those victims of evil before, during and after. God was with those who were killed, holding their hands and whispering into their ears. In their last transition from God’s earthly sanctuary to the great sanctuary above, God was with them. God will certainly be with us when evil is brought to justice in the State of South Carolina for violating our sanctuary. God will be with us to forge a real conversation about hate and race division in this State when we take down the Confederate flag.

During the Civil War, Abraham Lincoln was once asked whose side was God on and he replied, “My concern is not whether God is on our side, but my greatest concern is to be on God’s side.” As I take my seat and encourage the Senate to do the work that we came to do on behalf of all people, all creeds, all colors and the work of the people of South Carolina, I reflect on District 42 in the aftermath of the shooting of Walter Scott in North Charleston and the Charleston Massacre that killed nine families, at this moment of horror, pain, anger and grief just as God is with us, let us also be with God. Let us be on God’s side. Let us do God’s business by passing the *Sine Die* Resolution to incorporate a great debate so that we can begin the work of removing the Confederate flag from in front of the State House.

So I close out by simply saying as I echo the chants of our ancestors:

Ride on King Jesus, no man can hinder me. No one told us that the road would be easy, but we don’t believe He brought us this far to leave us. Walk together children, don’t you get weary, there’s a great camp meeting in the Promised Land. Bread of heaven, bread of heaven, feed me til I want no more. Thank You.

On motion of Senator GROOMS, with unanimous consent, the remarks of Senator KIMPSON were ordered printed in the Journal.

Senator COURSON spoke on the Concurrent Resolution.

**Remarks by Senator COURSON**

As you know the late Senator CLEMENTA PINCKNEY will be lying in state tomorrow in the Capitol rotunda from 1:00 - 5:00 P.M. My church is Trinity Episcopal Cathedral on Sumter Street two blocks from the State House. There will be a community prayer tomorrow at Noon at Trinity, and the church will be open from 1:00 - 5:00 for anyone who would like to come in. There will be prayers given on each hour and the bells will ring each hour at 1:00, 2:00, 3:00, 4:00 and 5:00. This information is not just for the Senate, but for anyone who is listening. There will be water and refreshments available due to the heat.

I’d like to follow up on what my close friend, Senator JACKSON, said about The Heritage Act of 2000. Senator, I too, am proud of our compromise; however, you left out one component because you’re very modest. When we crafted the original Heritage Act of 1994, we had a passage that would allow for a monument to our African American heritage in the Palmetto State. The Heritage Act failed in 1994. It passed the Senate, but was lost in the House. A few years later, Senator JACKSON, you asked me and Senator McCONNELL, to meet with you. You asked if we could revisit the idea of an African American monument on the State House grounds to be paid for with private funds. The three of us met with the President *Pro Tempore* of the Senate, Senator JOHN DRUMMOND, and told him what we were going to do, and he thought it was a great idea. We passed legislation authorizing the monument. I think that we’re the only State in the nation that has a monument to African American heritage. The only State in the nation. Senator JACKSON, if it had not been for you, Senator HUTTO and Senator JOHN MATTHEWS, this would not have occurred. I think we need to know this historic fact for the record. Thank you, Mr. PRESIDENT.

On motion of Senator LARRY MARTIN, with unanimous consent, the remarks of Senator COURSON were ordered printed in the Journal.

Senator VERDIN spoke on the Concurrent Resolution.

**Remarks by Senator VERDIN**

Thank you Mr. PRESIDENT, members of the Senate. God is with us. God is still on the throne in Jesus. This body, both from our ministers who serve amongst us, our chaplain, the layman, and even poor old brother, Senator MALLOY. The Lord compelled you last week, you sought solace with Him and I appreciate the opportunity that this process for us as brethren and sister continues. Clem and I are all that remained in the body from our class.

I’ve told my family, my friends and constituents at home that he was a better man than I, because I don’t know that there is one of us that can point to our brother and say that he spoke ill of me. I’ll confess, apologize and ask your forgiveness for stridency, sometimes I wish I had been more vigorous and less strident.

I can say with confidence he loved better than I do, and I appreciate the fact that our State, the Holy City, has been bathed with so much prayer in God’s word. I am reminded of what my minister gave me this past Lord’s Day as it relates to unity and pastoral prayer. He remembered our brothers and sisters in Charleston. Again, Senator KIMPSON, thank you for invoking their names. Psalmist David said, “How good and pleasant it is to dwell together in unity.” He gave two examples: the oil running down Aaron’s head to the toe of the hem of his garment and the vision of the waters falling upon the mountain, down upon the land, and of course the vision is eternal life, the presence with God, the picture is the balm of Gilead, the covering -- so I’m so blessed to be among you, and I’ll say this, how good and pleasant to dwell together in unity. I’d rather be with you in disunity, than in any other state in this country, but I don’t feel disunity. I tell you that I have spoken already with the President *Pro Tempore*, the Majority Leader, the Minority Leader, as I speak to my constituents of my State and the world, I can tell you that I pray that we continue to embrace each other in disagreement, so I’m not voting for an adjustment of the *Sine Die*. I trust as God knows my heart, I’ll be able to continue to be benefited from you. I will be so blessed.

Senator KIMPSON, you said you hoped you could convey something to us, I pray for the Spirit that I’ll be able to convey something to each of you. In the days ahead I don’t know what the leadership specifically has in store for our conversation going forward but that’s what I pray for -- a conversation that will unify us more than divide us, regardless of the outcome, because as the Psalmist was saying, it’s life evermore. I have heard the theologian from Charleston, Senator CAMPSEN, talk about the continuum of life and eternity. We’ll look at eternity, past, present and future on another day. Today is not the day but I do appreciate the opportunity to convey my heart, express love for our departed brother, and give you a basis where my heart is as the debate goes forward.

It grieves me the events that have precipitated this matter. I truly can say that the matter itself does not grieve me. What will grieve me is if we come out the other end and have not benefitted from God’s single mercies to us. To this point I know we have.

On motion of Senator CAMPSEN, with unanimous consent, the remarks of Senator VERDIN were ordered printed in the Journal.

Senator MATTHEWS spoke on the Concurrent Resolution.

**Remarks by Senator MATTHEWS**

Mr. PRESIDENT, lady and gentlemen of the Senate, it is my pleasure and honor to be able to say a few words about the process, who we are and what we stand for. Clem and I served as suitemates and on the same delegation for a number of years. He was a man of honor and integrity, a true statesman and a good friend. I will truly miss him.

It is important that we keep in mind that what we do here today and how we do it, will set the standard for the State of South Carolina and the nation. What is more important is to remember that the victims of this tragedy have already set the standard. They have set the template for how we should conduct our business. They have set the example of how we should conduct our business and how we should react to this situation with a spirit of forgiveness, and recognition that there are differences in this State, but it is our willingness to come together to do that which is right that should be commended.

My father was a Methodist preacher and he used to say, “If you do what is right, you’ll be alright because in the end, right always wins.” I’m probably the longest serving member in the General Assembly and because of that I’ve seen many debates. Some have been calm and agreeable and some have been heated and angry. But for this debate today, I can honestly say that this Senate reflects the template of the victims and their families. We have come together to resolve a problem that has been plaguing us for years. Let’s do the right thing. Thank you.

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator MATTHEWS were ordered printed in the Journal.

Senator RANKIN spoke on the Concurrent Resolution.

**Remarks by Senator RANKIN**

Thank you Mr. PRESIDENT, members of the Senate, I will be brief. Last Thursday as we gathered with the unspeakable reality of what happened in this State, and to one of our own, we had the usual prayer group, which I sometimes attend, and for the first time ever, was asked to speak. The subject I had chosen was about fatherhood. And the role that we have as fathers, or as parents, and the role given to us, the model given to us by our heavenly Father in how we interact with each other, and how we serve, and how we model to our children that role so beautifully modeled by our Savior.

I’ve heard the words authored by so many eloquent speakers, and the emotion, and the raw shock that this body felt, that obviously was extended to the families, and felt more directly by them -- but then shared by the community, shared by this State, this nation, and by the free Christian civilized world, as the reverberations of forgiveness have been sent by those who would least be apt to say it, practice it, and preach it -- that message to me, to our people in this State, from your city who has so admirably practiced what Clementa preached in his last words, recorded at least, to, “Pray for those who did and do you evil.”

The flag -- What about the flag? What are we to do as a State in response to this tragedy? The prayer I offered last Thursday is one I invoke today as we decide on what to do about that flag. Those who intend to do, and what that young man intended for evil, God will make good. Genesis, Chapter 50, verse 20, and I am paraphrasing this, what you intended for evil, God will make good. And so as we encounter now, with this symbolic gesture, we as a State can offer to our brother, and our brothers and sisters in the Charleston community, who paid the ultimate sacrifice for worshiping in a free democracy, in the House of the Lord, whose lives were lost at the hands of a person, perhaps singularly, by what some and many, and Senator KIMPSON, you so beautifully invoked, the symbol of racism in our State.

What is the legacy we as a Senate, and we as a body in this State can give to and mark for, the lives lost by those in Charleston? What Mr. Roof intended for evil, God will make good. Is removing the flag in God’s hands? It certainly is. Is it in our hands voting for this amendment to this *Sine Die* Resolution? Surely it is within your hands. Whether we take it down or not, as I hope we do, we will forever mark our service in this Senate, and this General Assembly, as our token of symbolic victory -- for the lives of those we didn’t know, but the one we did, who practiced what he preached -- who offered forgiveness -- that we as a State remove this symbol. Honor it? Yes. But remove it? Yes indeed. Thank you.

On motion of Senator ALEXANDER, with unanimous consent, the remarks of Senator RANKIN were ordered printed in the Journal.

Senator JOHNSON spoke on the Concurrent Resolution.

**Remarks by Senator JOHNSON**

Thank you Mr. PRESIDENT, members of the Senate. I am going to be very brief and as all of us know, I don’t have to tell you that CLEMENTA PINCKNEY was a State Senator, and I say that to make this point. The House has voted overwhelmingly 103 to 10 to amend the *Sine Die* to allow us to come back and discuss removing the Confederate flag from the State House grounds. If they can do that, while it was not unanimous, that will soon be a mandate. If they can do that across the hall in honor of one of our fallen members and eight other victims, certainly we should be able to do the same thing. I hope and I pray that when we take a vote on this Resolution on amending the *Sine Die*; I hope we can deliver the same mandate and reach way down in our hearts and attempt to do the right thing. Thank You.

On motion of Senator LARRY MARTIN, with unanimous consent, the remarks of Senator JOHNSON were ordered printed in the Journal.

Senator BRIGHT spoke on the Concurrent Resolution.

Senator MALLOY spoke on the Concurrent Resolution.

**Remarks by Senator MALLOY**

Thank you, Mr. PRESIDENT, members of the Senate and friends. I want to thank the members here for all of the work that has been done. It certainly has not been a real easy week and obviously I appreciate the discussions, the speeches, the things that are coming from the hearts of the men and women of this great State. We want to take a few moments now and beg your indulgence, and before we pass this Resolution, I want to bring it all back to Senator PINCKNEY’s family -- to Jennifer and his family -- they all know this Senate loved Senator PINCKNEY. As I stand before you, I know that there are not words enough or portraits enough or any other things that would happen that would be soothing to help dull the pain from the loss of our friend. You’ve known me for a number of years. I’ve known Clem since I came to this Senate and some time before then. During that time, he was the person that I turned to, and we all turned to, to make since out of tragedies -- to make sense out of matters that we need in comfort and in times when it was difficult, and Senator PINCKNEY would calm us down. So I wonder what happens now, with his distinctive baritone voice that has been silenced. How would he comment on this debate? We know that they say his voice was silenced hours after this happened. But gone? I don’t think it’s gone. I think the spirit of this Senate is ever shining light. In our despair, I know that we have to pass a budget. We did it in a way that was pleasing. We can still hear his voice from that committee, which was warm, comforting and urging us as always to look to the Lord as he always did. Many of you loved his voice. He used it not for himself, but to speak on behalf of those who had no voice, and he spoke today. His voice wasn’t necessary the loudest, but the most critical and always the most effective. If he ever uttered a harsh word to anyone, I never heard it and I would say neither did you. They think they silenced his voice. Look at what he has done to this Senate and to this State. The day after this tragic event, I drove to Columbia and I saw this Senate. I saw that black cloth draped over his chair and we think they silenced his voice. His voice is right here in this Senate. Since learning of the news Thursday morning, I know you haven’t gotten much sleep. I know you’ve laid in bed and tried to remember exactly what he said to you the last time you spoke with him. We have really tried to turn the focus back to think of Senator PINCKNEY’s wife and children. You raised against the horrible acts that allowed them to snuff out the life of our good, loving and selfless brother. Just as we could have been consumed by hatred and hopelessness, I know you can hear Clem’s voice whispering in your heart using words like: forgiveness, change and hope. They tell me that his voice that was so full of kindness and love was silenced but I don’t think so. I know this past Sunday they had a different preacher in the church at Mother Emanuel, but Clem’s voice was still there.

I’ve been told one of the most prevalent recurring dreams people have is falling in nightmares and I have suffered with this dream many times too. I wake up finding myself falling off a cliff but this weekend, when I stood on that cliff, I knew I was not alone. We are proud of the people in Charleston and the people of this State for standing hand in hand with each other. Together as we teeter on the edge of the racism, hatred and hopelessness that tried to pull us down, a voice urged us to move forward in unison together, so that we might be saved. That deep baritone voice comes back to us and encourages us. We know he sings those songs of peace and togetherness. His voice is going to be here. So evil tried to silence the voice, but we listened to our hearts and we can still hear him as he urges us to keep the faith and have the courage to continue to love and trust one another. The Bible tells us Psalm 50, verse 3: “And he would not be silenced.” Clem’s voice is not silenced. We must have the courage to carry God’s message just as Clem did. Clem did not go in silence, but praising the Lord and ministering to the lost soul who sought to silence him and his great love. We must continue to cultivate that garden of love, so we can continue to nourish the souls of our future generations with fruit and drive out the hatred, and the stains in society that were here with us too long.

I know that his voice was heard in that courtroom last week at the arraignment when family members spoke of forgiveness. His voice continues to resonate through the hate by storing seeds of love to his children -- through his congregation, through me and you. In closing, I will say, “Speak up.” I’m glad that this Senate is speaking up and his voice can be heard. We must do it for Senator CLEMENTA PINCKNEY, for Sharonda Coleman Singleton, Cynthia Hurd, Tywanza Sanders, Myra Thompson, Ethel Lance, Daniel Simmons, Susie Jackson, DePayne Middleton-Doctor and we must do it for their children and our children. Speak up. Senator CLEMENTA PINCKNEY’s voice will be heard. His spirit has dwelled in each of us, as we moved forward to pass a budget. Thank you and the real work we have done and will do in this State while we walk hand in hand. Just think about the work that has been done in the last few days. I hope that we carry the issue forward and continue to hear that voice of the pastor, the reverend, the great Senator CLEMENTA PINCKNEY. I want to thank all of you for your indulgence. God bless you.

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator MALLOY were ordered printed in the Journal.

**Recorded Vote**

Senators BRIGHT, VERDIN and CORBIN desired to be recorded as voting against the adoption of the Concurrent Resolution.

Senator SETZLER spoke on the Concurrent Resolution.

**Remarks by Senator SETZLER**

Mr. PRESIDENT, members of the Senate, and those who are listening today, I waited until after we had adopted the amended *Sine Die* Resolution before speaking.

I want to talk to you and the world about where we are and how we got to this point and ask for your indulgence to allow me, a senior serving member of the South Carolina Senate, to do so.

I came to this body when I was 31 years old. To be very candid, I was wet behind the ears and had no idea of what I was facing. My father sat in this chair, as I was sworn in. A House Member at that time stated, “There is a difference in elections and serving. When you walk through those doors, that cloak of responsibility is draped over your shoulders.” Each one of us, who serves in this body, realizes that responsibility every day.

That responsibility was brought home in a way last Thursday morning that we never realized, we never wanted and we regret that we face. I do not think the people of South Carolina, the nation, or the world realize what the South Carolina Senate has faced and how we responded in a responsible way, which is what we were elected to do.

As we watched television last Wednesday evening, those of us on this side of the isle were shocked to learn of what had transpired in Charleston. But that shock became a greater concern as the night went on. Around midnight when we received no returned texts or phone calls from Senator PINCKNEY, we realized the tragic truth. We traded texts through the night, and we came here on Thursday morning because we had a budget to deliberate. We grappled, as a body, on how to deal with our responsibility to the people of South Carolina and at the same time how to honor our friend and our colleague who we had been with as late as five o’clock the afternoon before. We held a memorial service for Senator PINCKNEY on Thursday morning, and that afternoon we finalized the budget and with heavy hearts left town.

We are here today going through many of the same emotions. We have the responsibility of dealing with the budget conference committee report while still grieving with heavy hearts the tragic loss of nine lives in Charleston, South Carolina. Again, we met our responsibility with respect, honor, and hopefully dignity.

I would like to relate a personal story about a sermon I heard 45 days ago and never knew that it would come to mean this to me. The preacher during this sermon said, “Pray for the grace to believe.” “Pray for the grace to believe.” I contacted the preacher after that service and asked him to explain that statement further in another sermon one day, as I was not sure I understood the concept of, “Pray for the grace to believe.” I was not sure what that meant.

On this past Saturday, I texted the preacher that I had learned what grace to believe really meant. I had seen the grace to believe exemplified by the victim’s families in Charleston, South Carolina, when they stood and gave forgiveness from their hearts. That is the grace to believe. To believe that God knows what is best and that He is in charge.

I have seen the members of this body come together in a way that is unimaginable to the rest of the country -- with the grace to believe. You have no idea how hard it is to walk through these doors into a body that you have served in for years with a member and see that black drape and white rose on the member’s desk. This body is in the process of grieving as are the people that have worked for the South Carolina Senate for years. Charleston, South Carolina, has set an example for the country on how to deal with tragedy. The families of the victims have set an example on how to deal with tragedy. In my opinion, the South Carolina Senate, which I love, has set an example on how to deal with tragedy and how to “Pray for the grace to believe.”

We would have liked to spend the day solely grieving our friend. We are grieving; however, we also have a responsibility to do our business. To my colleagues, to the people of this State, and to the press, I would like thank you for your attention to the pressing legislative matter. We have amended our *Sine Die* Resolution, and we will be back. This body, like the families in Charleston, needs an opportunity to grieve. We need for our friend to Lay in State tomorrow in the Rotunda, and we need to attend and celebrate Senator PINCKNEY’s life on Friday at his funeral. We ask you to join us in not only grieving for our friend and colleague but also in celebrating his life. Please realize that we, although we are elected officials, like you are hurt. We hurt for the loss of our friend. God Bless him and God Bless us.

On motion of Senator PEELER, with unanimous consent, the remarks of Senator SETZLER were ordered printed in the Journal.

Senator PEELER spoke on the Concurrent Resolution.

**Remarks by Senator PEELER**

Thank you, Mr. PRESIDENT, Senator SETZLER, we are in a time of grieving our colleague. I invite you, our State of South Carolina and the nation, to google the South Carolina Senate debate on the flag in 2000. If you view that, I ask you to view my speech and see how I feel toward the flag. So enough about the flag for today from me. I’ve heard since last Thursday on this subject. I’ve listened, I’ve thought and I’ve prayed and I continue to listen and think and pray and at the proper time, I’ll vote.

However, today, Senator SETZLER, you are exactly right. Today, first and foremost, this is a time of grieving. That’s what we are doing now -- we are grieving over our friend and colleague, Senator CLEMENTA PINCKNEY and his eight church members. I ask the State of South Carolina and the nation to continue to grieve. I, like you, Senator BRIGHT, saw the comments of forgiveness from the victims’ families. I must confess to you that I’m not there. I couldn’t do it. I couldn’t forgive him -- I don’t forgive him, I don’t. I can’t -- I’m not there yet. I hope I live long enough to be that kind of Christian, but I’m not there yet. I confess to you that I’m not. I hope someday, Senator KIMPSON, I’ll be there. Senator VERDIN, I can’t forgive him for what he’s done -- I can’t forgive him for what he’s done to this State.

At the proper time, Senator LEATHERMAN, I want you to bring this matter to a vote. The sooner, the better. Don’t let this thing fester. Please, just as soon as we can, let’s have a vote on this matter and move on.

Everything that has been asked of me from both sides of the aisle -- I’ve always prefaced my answer with, “What would Clem want us to do?” That’s how I want us to act. Thank you, Mr. PRESIDENT.

On motion of Senator MALLOY, with unanimous consent, the remarks of Senator PEELER were ordered printed in the Journal.

Senator LARRY MARTIN spoke on the Concurrent Resolution.

The question then was the adoption of the Concurrent Resolution.

The Concurrent Resolution was adopted.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 23, 2015, at 3:15 P.M. and the following Acts and Joint Resolutions were ratified:

(R126, H. 3525) -- Reps. Sandifer, Forrester and Hayes: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 23, TITLE 58 SO AS TO PROVIDE FOR THE REGULATION OF TRANSPORTATION NETWORK COMPANIES; TO AMEND SECTION 58‑4‑60, AS AMENDED, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE EXPENSES OF THE TRANSPORTATION DEPARTMENT BE BORNE BY ASSESSMENTS TO TRANSPORTATION NETWORK COMPANIES IN ADDITION TO EXISTING SOURCES; AND TO AMEND SECTION 58‑23‑50, AS AMENDED, RELATING TO EXEMPTIONS FROM REGULATION OF MOTOR VEHICLE CARRIERS BY THE PUBLIC SERVICE COMMISSION, SO AS TO EXEMPT TRANSPORTATION NETWORK COMPANIES.

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(R127, H. 3701) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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(R128, H. 3702) -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2014‑2015, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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(R129, H. 4014) -- Reps. Gambrell, Gagnon, Hill, Putnam, Thayer and White: AN ACT TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ANDERSON COUNTY BOARD OF EDUCATION, SO AS TO CHANGE THE METHOD OF ELECTING FOUR OF THE FIVE MEMBERS OF THE ANDERSON COUNTY SCHOOL DISTRICT 3 BOARD OF TRUSTEES FROM RESIDENCY AREAS TO SINGLE‑MEMBER DISTRICTS.

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(R130, H. 4230) -- Rep. White: AN ACT TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2015‑2016, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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(R131, H. 4266) -- Reps. Lucas and White: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2015‑2016 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, TO SUSPEND A PROVISION, AND TO PROVIDE FOR THE DURATION OF THE CONTINUING AUTHORITY.

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 892 -- Senator Bennett: A SENATE RESOLUTION TO CONGRATULATE AND HONOR COACH JOHN MCKISSICK OF SUMMERVILLE HIGH SCHOOL, THE WINNINGEST COACH AT ANY LEVEL OF ORGANIZED FOOTBALL, FOR HIS OUTSTANDING CAREER AS BOTH COACH AND EDUCATOR, TO RECOGNIZE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 893 -- Senator Shealy: A SENATE RESOLUTION TO EXPRESS THE PROFOUND GRATITUDE OF THE MEMBERS OF THE SOUTH CAROLINA SENATE TO MS. DEBBIE DILLS OF GASTONIA, NORTH CAROLINA, FOR HER DILIGENCE AND COURAGE IN HELPING TO APPREHEND DYLANN ROOF.

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The Senate Resolution was adopted.

S. 894 -- Senator McElveen: A SENATE RESOLUTION TO CONGRATULATE RICHARD D. WHEELER OF SUMTER UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-TWO YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 896 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE DEATH OF WOFFORD COLLEGE STUDENT-ATHLETE JEREMIAH TATE OF COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 897 -- Senators Sheheen, Malloy, Coleman, Kimpson, Nicholson, Massey, Campbell, Hembree, McElveen, Williams, Matthews, Hutto, Setzler, Sabb, L. Martin, Alexander, Jackson, Davis, Lourie, Johnson, Reese, Thurmond, Campsen, Rankin, Scott, Hayes, Bennett and Allen: A BILL TO AMEND SECTION 1-10-10(A) OF THE 1976 CODE, RELATING TO THE FLAGS AUTHORIZED TO BE FLOWN ATOP THE STATE HOUSE AND ON THE CAPITOL COMPLEX, TO REMOVE REFERENCES TO THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA, TO PROVIDE FOR THE PERMANENT REMOVAL OF THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA FROM ITS LOCATION ADJACENT TO THE CONFEDERATE SOLDIER MONUMENT, AND TO PROVIDE THAT UPON ITS REMOVAL, THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA SHALL BE TRANSPORTED TO THE CONFEDERATE RELIC ROOM FOR APPROPRIATE DISPLAY.

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

H. 4356 -- Reps. Lucas, Bannister, Rutherford and Anderson: A CONCURRENT RESOLUTION TO PROVIDE THAT IN ADDITION TO THE MATTERS WHICH MAY BE CONSIDERED BY THE GENERAL ASSEMBLY AFTER JUNE 18, 2015, PURSUANT TO H. 4274 OF 2015, LEGISLATION CONCERNING THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA AND SURROUNDING ARRANGEMENT LOCATED AT THE CONFEDERATE SOLDIER MONUMENT ON THE GROUNDS OF THE STATE CAPITOL COMPLEX ALSO MAY BE INTRODUCED, RECEIVED, AND CONSIDERED BY EACH BODY OF THE GENERAL ASSEMBLY PRIOR TO SINE DIE ADJOURNMENT.

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

**Recorded Vote**

Senators VERDIN, CORBIN and BRIGHT desired to be recorded as voting against the adoption of the Concurrent Resolution.

H. 4361 -- Reps. R. L. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF THE REVEREND DEPAYNE MIDDLETON-DOCTOR OF CHARLESTON COUNTY, TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS, AND TO URGE THE CHARLESTON COUNTY COUNCIL AND CHARLESTON COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES TO RENAME THE ST. PAUL'S LIBRARY BRANCH OF THE CHARLESTON COUNTY PUBLIC LIBRARY IN HOLLYWOOD THE "DEPAYNE MIDDLETON-DOCTOR/ST. PAUL'S LIBRARY."

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

**Motion Adopted**

Senator LEATHERMAN moved that the Senate stand adjourned.

**MOTION ADOPTED**

On motion of Senators MASSEY, ALEXANDER, ALLEN, BENNETT, BRIGHT, BRYANT, CAMPBELL, CAMPSEN, CLEARY, COLEMAN, CORBIN, COURSON, CROMER, DAVIS, FAIR, GREGORY, GROOMS, HAYES, HEMBREE, HUTTO, JACKSON, JOHNSON, KIMPSON, LEATHERMAN, LOURIE, MALLOY, LARRY MARTIN, SHANE MARTIN, MATTHEWS, McELVEEN, NICHOLSON, O’DELL, PEELER, RANKIN, REESE, SABB, SCOTT, SETZLER, SHEALY, SHEHEEN, THURMOND, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memories of Rev. DePayne Doctor, Cynthia Hurd, Susie Jackson, Ethel Lance, Tywanza Sanders, Rev. Daniel Simmons, Sharonda Singleton and Rev. Myra Thompson of Charleston, S.C. On behalf of the South Carolina Senate, our hearts and prayers are extended to the families and friends of these wonderful people who were tragically killed on June 17, 2015, at Emanuel AME Church in Charleston, S.C. Each of them will be dearly missed and remembered forever.

**ADJOURNMENT**

At 3:21 P.M., on motion of Senator LEATHERMAN, the Senate adjourned, pursuant to the provisions of H. 4274, the *Sine Die* Resolution.

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