

NO. 8

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

FRIDAY, JANUARY 18, 2019

Friday, January 18, 2019
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

ADDENDUM TO THE JOURNAL

The following remarks by Senator HARPOOTLIAN were ordered printed in the Journal of January 8, 2019:

Remarks by Senator HARPOOTLIAN

I want to first of all thank all the folks here with the senate staff -- Jeff and Ken. The rest have been so cordial, so nice, and so understanding of my lack of understanding as to how this process works, and what I should and should not be doing. My wife, who could not be here today, insisted that I have prepared remarks because as many of my cohorts know, when I go off-script things can go awry. So, if these seem a little bit stilted it is because my normal vernacular has been shaved out of it. Mr. PRESIDENT and members of the Senate, I'm honored to be here in these hallowed Chambers. I did some research, and I believe I have good cause to claim that at 69, I'm the oldest freshman Senator in the history of this Chamber. I have had the honor and privilege to serve my community and State over the years in a variety of roles including, Richland County Council and 5th Circuit Solicitor. But this role is perhaps the most exciting and interesting of all. Unlike any of you, I ran for election last year and spent countless hours knocking on doors and attending community forums to hear what my constituents felt was important for their Senator to address. I was reminded once again of the strength and vibrancy of our citizens in our community. No matter where I went, the issue of improving our schools and increasing teachers pay were paramount in people's minds. Also there seemed to be an almost uniform disgust with what they termed, "a culture of corruption in the State House." And while painting this entire legislature with that broad brush is patently unfair -- life isn't fair. I have, since my swearing in almost two months ago, have attended meetings and a subcommittee hearing in which I met and saw many of you in action. I was and am impressed with the diligence and intelligence I saw in those meetings. So far, the conduct I have encountered here far exceeds the perception of some of the voters

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I encountered during the campaign. I understand that my lack of experience in this venue will constrain my ability to convey meaningful positions until I learn the process. I have been treated cordially and have been welcomed uniformly since my election to this Body, and I will endeavor to reciprocate it at every level. We can disagree without being disagreeable, but we must never abandon our efforts to improve the life of, and conditions of, our children. This State, not just this Body, has clearly failed to do that. And as my last observation, I would note that my constituents clearly want us to address the tough issues that face our State and believe we should focus on the next generation, not the next election. So, I look forward to working with all of you in accomplishing these goals. So, God bless the State of South Carolina. God bless the United States of America and God bless this Chamber. Thank you.

ADDENDUM TO THE JOURNAL

The following remarks by Senator MASSEY were ordered printed in the Journal of January 8, 2019:

Remarks by Senator MASSEY

Thank you, Mr. PRESIDENT. I wish to make a nomination for the first Senator to serve as PRESIDENT of the Senate. But before I do that, I would like to take just a minute to thank the last PRESIDENT *Pro Tempore* of the Senate. There will be others who have some things to say as well, but I want to say thank you, Senator LEATHERMAN, for your leadership. I thank you for the grace that you have shown in this transition. You and I have talked a number of times over the last couple of years about this process and the new office of PRESIDENT. We've talked about how it ought to be structured and what it should accomplish. You have consistently said that the focus should not be on the now but, rather, that it should be on the many years from now. I appreciate that guidance. Thank you.

Now, Mr. PRESIDENT, I'd like to spend a few minutes to talk about the eldest son of Smith and Sally Peeler. I understand, Miss Sally is watching us online today. When I heard that, I was a little bit nervous that I might say something that Miss Sally might not like. But Bob assured me she knows the truth and she's probably going to agree with me. So I feel a little bit better. Most of us probably don't know that Harvey Smith Peeler, Sr., served in the United States Army Air Force in World War II. After serving our country, he returned home to Gaffney.

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And that return led to the big brown cow we have all become so familiar with that shows up in parades and political events across South Carolina. HARVEY SMITH PEELER, JR., grew up in that business. He and his siblings, Bob, Bill and Susan, worked in the business. To Susan, the baby of the family, I offer my sincerest sympathy. I know you had to have had a rough childhood growing up in that household. All of us know his twin brothers, Bob and Bill. Harvey has told them many times it took two of them to make one of him. For Bob, Bill and Susan the humility of Harvey that we all know so well has been evident from the beginning.

When he married Donna Caudle in 1969, Harvey was still a student. I cannot imagine Donna knew what she was getting into. Eleven years after they married, Harvey ran for the Senate. He was elected as a Democrat in 1980. Then came redistricting. Then, in 1982, Congressman Ken Holland retired. But Senator PEELER didn't run for Congress in 1982. Congressman Holland ran for Senate in the primary in 1984 against the freshman Senator from Gaffney, Senator PEELER. And HARVEY PEELER won without a runoff.

In 1989, Senator PEELER switched parties and identified as a Republican. The newspapers and many people back home thought he was nuts. Republicans weren't elected in Cherokee County in those days. This was still a few years before the mass migration began. HARVEY PEELER led the way and, in so doing, became part of the Senate minority. In 2001, Senator PEELER became part of the Senate majority and in 2005, he became the leader of that majority.

It's no secret that Senator PEELER has aspired to another title -- one with president in the name. For those of you listening, not that president. He probably thinks he should be that president, too; but, let's not talk about humility again. Since 1980, Senator PEELER has waited patiently for this day. Well, maybe not patiently. After all, this is HARVEY PEELER we're talking about, right? Sometimes we're frustrated by that impatience. Sometimes we laugh at it. But at least we only have to deal with it for three days a week five months a year. Brantley, Smith and Boone have dealt with it their whole lives. Because for nearly their whole lives, their daddy has been a Senator. And, as all of us know, there is a lot you miss when serving in this role. Homework, ball games, recitals, just the overall experience of day-to-day parenting and family life. And when one person enters public service, the whole family enters public service. Our spouses and children could probably testify to that much better than we can. Donna, Brantley, Smith and Boone certainly can! But

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they also know no one can represent the good people of Cherokee, Spartanburg, Union and York counties better than their daddy.

Over the years, Senator PEELER has been a mentor to me, often giving advice (usually when not asked for). He refers to me as grasshopper, like in the fable of the ant and the grasshopper. Now, I don't think that means he thinks I'm lazy. I actually think that reference has more to do with him thinking he is the ant. Because it's usually about him, right? The ant was smart. The ant was resourceful. The ant was industrious. The ant was experienced. The ant was wise. I think it's him telling me I need to listen to his wisdom. Because one of the many burdens he has to bear is the burden of being right all the time.

Now, if you follow the Senator's twitter feed -- and if you don't, you really should -- you can learn a lot about Gaffneyese and Clemson football. Last night those two worlds collided and you will just be thoroughly entertained by his tweets. By the way, Donna, twitter might be one of those things you monitor a little bit to ensure Senator PEELER doesn't go overboard. But on twitter, you never know when you might catch a photo or a comment about Mary, Blake, Boone, Tillman, Savannah Jayne, Cayce or Beau. Granddaddy may be larger than life, but "Granddaddy" is probably the only title he wants more than PRESIDENT.

I mention these things and talk about these people not because it has something to do with being PRESIDENT of the Senate. I mention them because it has everything to do with being PRESIDENT of the Senate. These events and these people collectively have formed the person that we all know as Senator PEELER. They have made him who he is. And, who he is determines how he will lead this Senate -- the Senate he often says he grew up in -- as the first PRESIDENT under the amended Constitution. It's pretty cool to be the first. You set the precedent. But along with this privilege, there is also the burden of responsibility because you are setting precedent. Those who come after you will look back to see how you did it. Senator PEELER, you are up to the task. And I really appreciate you asking the grasshopper to nominate you. After such an impressive championship game played by our beloved Clemson, what better day could it have been for you to step into this role? You could not have scripted it much better than to have the big orange flag with the white tiger paw flying over the State House as you step into this historical role. It really is a day to remember.

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Mr. PRESIDENT, I nominate the Senator from Cherokee, HARVEY SMITH PEELER, JR., as the first Senator to serve as PRESIDENT of the South Carolina State Senate.

ADDENDUM TO THE JOURNAL

The following remarks by Senator SETZLER were ordered printed in the Journal of January 8, 2019:

Remarks by Senator SETZLER

Mr. PRESIDENT, Lieutenant Governor Bryant, thank you for your service to the South Carolina Senate. Senator LEATHERMAN, thank you from the bottom of our hearts for all that you have done, for the way you have led the South Carolina Senate, and for your commitment to the people of this State. We appreciate you, and we thank you.

Senator PEELER, it is an honor that you asked me to second your nomination for the position as PRESIDENT of the South Carolina Senate. This is a special day, but more than that, it is a historical day. This is the first day we will ever have a PRESIDENT of the South Carolina Senate, and we are privileged to serve in this Chamber and to elect the first PRESIDENT.

I have known Senator PEELER since 1980 when he was first elected. I had just finished my first term in the Senate, we were friends then and that friendship has grown. Over the past 40 years, we have been friends, we have worked together, we have co-sponsored legislation together, and we have fought each other on legislation. We can disagree but not be disagreeable.

Senator PEELER is a man of integrity and one who has served with integrity and honor. He has worked hard every day not only for his constituents but also for the people of this State. We all know and see this on a daily basis, but many of us may not know about his family members -- who love him, who understand every aspect of him, and who define him. Senator PEELER always does what he thinks is right.

Senator PEELER, there is one benefit of being a senior member of this Body, and that is knowing the history that precedes you. The irony of Senator PEELER being elected today as PRESIDENT of the Senate will not be understood unless you were here in 1997. In 1997, the South Carolina Senate was meeting in the Carolina Inn while the State House was being remodeled. At that time Bob Peeler, the brother of Senator PEELER, was Lieutenant Governor of South Carolina. And at that time,

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the Lieutenant Governor made all the conference committee appointments. The Senate in its wisdom or lack thereof chose to change the rules and take those powers of appointment from the Lieutenant Governor based on the premise that the Lieutenant Governor was not an elected member of this Body. Naturally, Senator PEELER was on the other side of that. The irony is that today we elect Senator PEELER who is a member of this Body to be our PRESIDENT. With this election and the change in the Senate Rules, those powers go to you, Senator PEELER. It has come a full 360°.

The South Carolina Senate wants a PRESIDENT who presides, rules, and leads in a fair and impartial manner. The South Carolina Senate wants a PRESIDENT who understands, appreciates, and recognizes the history, the customs, the traditions and the rules of this Chamber. The South Carolina Senate wants as its PRESIDENT someone who will stand up for the South Carolina Senate. The South Carolina Senate wants a leader and a PRESIDENT who will do so in a bipartisan manner, realizing that he or she is not elected by one party, or one group, but by the entire South Carolina Senate. The South Carolina Senate wants a PRESIDENT who understands that the will of this Body or the majority vote in this Body may be contrary to what the PRESIDENT, as a presiding officer, wants. The PRESIDENT may have to rule against their own view, or their own constituents. And finally, the South Carolina Senate wants a PRESIDENT who cares about every member of this Senate, and every staff member of the Senate. With power comes responsibility.

Senator PEELER, you are that person, and it is unanimous. We chose you because you meet those criteria. We also chose you because you have an understanding, not only of those who have served prior to us, but also those who will serve after us.

It is with great honor and distinction that I second the nomination of Senator PEELER, I ask that the nominations come to a close, and Senator PEELER be elected the first historical PRESIDENT of the South Carolina Senate.

REPORT RECEIVED

State Regulation of Public Utilities Review Committee

Sen. Thomas C. Alexander, Chairman

Heather Anderson

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Rep. William E. Sandifer, III, Vice Chairman	Committee Counsel
Rep. P. Michael Forrester	Steve Davidson
Sen. C. Bradley Hutto	Committee Counsel
Dan Jones	
Rep. David J. Mack, III	
Gregg Morton	
Sen. Luke A. Rankin, Sr.	
John S. Simmons, Esquire	

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6208

January 16, 2019

Members of the South Carolina General Assembly
Columbia, South Carolina

Dear Fellow Members:

Enclosed is the State Regulation of Public Utilities Review Committee's Report as to Qualifications of Candidates for Seat 2 of the Public Service Commission (Commission). The report is designed to provide you with information on the candidates qualified and nominated by the Review Committee. The Review Committee is charged with nominating up to three candidates for this seat on the Commission. In accordance with this mandate, the Review Committee thoroughly investigated each candidate with respect to his or her suitability for service on the Commission.

The Review Committee held public hearings on January 14, 2019 to question the candidates. A transcript of the oral examination of the candidates will be available no later than the close of business of Thursday, January 17, 2019. An electronic version of the transcript will be emailed to you once the transcript is received, and it will be available for review on the Review Committee's website at:

<https://www.scstatehouse.gov/CommitteeInfo/PublicUtilitiesReviewComm/2018PublicServiceCommissionScreeningInfo2.php>

The Review Committee considered the qualifications of each candidate. The Review Committee's finding that a candidate is qualified and nominated means that the candidate satisfies the constitutional and

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statutory criteria for service on the Commission and the Review Committee's evaluative criteria.

Candidates are prohibited from asking for your commitment until 12:00 noon, Friday, January 18, 2019. Members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, or statements detailing a candidate's qualifications on behalf of a candidate, and are not permitted to offer a pledge to vote for a candidate until 12:00 noon on January 18, 2019. If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Heather Anderson at (803) 212-6208 or Steve Davidson at (803) 734-3015.

Sincerely,
Thomas C. Alexander

**REVIEW COMMITTEE REPORT AS TO THE QUALIFICATIONS
OF CANDIDATES FOR THE PUBLIC SERVICE COMMISSION, SEAT 2**

INTRODUCTION

Section 58-3-530(1)(a) of the South Carolina Code of Laws charges the State Regulation of Public Utilities Review Committee ("Review Committee") with the duty to nominate candidates for the members of the South Carolina Public Service Commission ("Commission"). The term for Commission Seat 2 expired on June 30, 2018.

The Review Committee conducted its screening process for Seat 2 during the spring of 2018, as well as the screening for Commissioner Seats 4 and 6. On May 10, 2018 the General Assembly rejected the slate of candidates for Seat 2. As a result, the Review Committee began the application process for Seat 2 on June 13, 2018, with applications due on August 1, 2018. A total of six candidates submitted applications by the August 1, 2018 deadline, and one candidate withdrew prior to the Review Committee's public hearing to screen candidates.

The Review Committee conducted background investigations of each candidate, including credit, driver's license, and law enforcement checks. It gave a written examination to determine the level of knowledge that each candidate has with respect to substantive public utility issues, ethical constraints applicable to the Commission, and the operations of the Commission. The Review Committee also obtained attendance records at Commission meetings and hearings for the incumbent Commissioner. During the public hearing on January 14,

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2019, each candidate was questioned and given an opportunity to make statements as to his or her qualifications and desire to serve as a Commissioner.

LEGAL QUALIFICATIONS

Pursuant to Section 58-3-20(A), members of the Commission must have the following qualifications:

- (1) a baccalaureate or more advanced degree; and
- (2) a background of substantial duration and an expertise in at least one of the following areas:
 - (a) energy;
 - (b) telecommunications;
 - (c) consumer protection and advocacy;
 - (d) water and wastewater;
 - (e) finance, economics, and statistics;
 - (f) accounting;
 - (g) engineering; or
 - (h) law.

The Review Committee may find a candidate qualified even though he or she does not have a background of substantial duration and expertise in at least one of the above areas if three-fourths of the Review Committee vote to qualify the candidate.

The Review Committee is also required to consider: “(1) the ability, dedication, compassion, common sense, and integrity of the candidates; and (2) the race and gender of the candidates and other demographic factors to assure nondiscrimination to the greatest extent possible of all segments of the population of the State.” S.C. Code Ann. §58-3-560. The determination of legal qualifications includes a determination of the candidate’s residence in the appropriate Public Service Commission district as established by Section 58-3-20, the candidate’s eligibility for election as determined by Section 58-3-24, and the candidate’s compliance with constitutional provisions limiting election to those persons eligible to be electors of this State.

Pursuant to S.C. Code Ann. §58-3-530, the annual performance review of Commissioners seeking reelection must be made a part of the Commissioner’s record for consideration if the Commissioner seeks reelection. These evaluations are included after the Commissioner’s summary of qualifications.

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GENERAL QUALIFICATIONS

To determine fitness beyond mere legal qualifications, the Review Committee considered each candidate's experience, temperament, compliance with and knowledge of legal and ethical constraints on public service, knowledge of Commission operations, demonstrated or potential aptitude for meaningful leadership and/or service at the Commission, and demonstrated integrity, including the handling of personal financial affairs. The Review Committee considered each candidate as a whole in making a determination of qualified and nominated.

Experience

Section 58-3-20 requires that Commissioners have a background of substantial duration and an expertise in energy; telecommunications; consumer protection and advocacy; water and wastewater; finance, economics, and statistics; accounting; engineering; or law. The Review Committee considered not only whether a candidate has succeeded in one of these fields but also whether the candidate has the capability of transferring this success and knowledge to the operations of the Commission. The Review Committee's transcript contains each applicant's background and employment history.

Temperament

The Review Committee sought to determine whether a candidate's sense of the role he or she is to fill on the Commission is such that his or her work will be productive, proactive, and protective of the interests of all South Carolinians.

Compliance with and Knowledge of Legal and Ethical Constraints

Section 58-3-30 requires that Commissioners adhere to the State Ethics Act and the Judicial Code of Conduct. The Review Committee believes that not only must the candidates be aware of the legal and ethical constraints, they must have conducted and comported themselves with the highest regard for ethics in their actions.

Potential Aptitude for Meaningful Leadership and/or
Service at the Public Service Commission

The Review Committee believes that the Commission should have strong leadership, work toward common goals, have a positive influence on employees, and ensure that parties and persons appearing before the

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Commission are treated fairly and impartially. The Review Committee therefore sought to gauge each candidate's potential aptitude to serve as a leader and/or as a Commissioner supporting the goals and mission of the agency.

Integrity

Candidates must assure the Review Committee that their word is their bond. The Code of Judicial Conduct requires, among other factors, that Commissioners and candidates handle their finances in a responsible manner. The Review Committee therefore considered the way each candidate has managed his or her financial affairs.

Substantive Knowledge of Commission Operations

The Review Committee believes that every candidate, whether incumbent or non-incumbent, must demonstrate some basic understanding of the role of the Commission and its operations. It would be unfair, however, to require non-incumbents to have accumulated a wealth of knowledge about Commission operations specifically, or regulated utilities generally. Unlike incumbent Commissioners, challengers have not had the benefit of a compensated opportunity to educate themselves in hearings or through conversations with Commission staff. The Review Committee expects incumbents and others who have substantial experience appearing before the Commission to be able to discuss these matters with a greater fluency than those persons who have, to date, committed themselves to other employment. The Review Committee emphasizes that the substantive knowledge findings contained in this report are a measure of a candidate's knowledge at the time of his or her candidacy. The findings are not necessarily indicative of a candidate's ability to subsequently master Commission operations and the multitude of issues relating thereto.

FINDINGS AS TO QUALIFICATIONS AND NOMINATIONS

The Review Committee screened a total of five candidates for Seat 2 on January 14, 2019. In accordance with Section 58-3-530(1)(a), the Review Committee may nominate up to three candidates per seat to be elected by the General Assembly. The Review Committee found the following candidates qualified and nominated them for election to the South Carolina Public Service Commission:

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**SEAT 2 Florence P. Belser
Elliott F. Elam, Jr.**

This report provides a summary of qualifications for the candidates found qualified and nominated, as well as other candidates who were screened and did not withdraw prior to the issuance of this report.

CANDIDATES FOR SEAT 2

JAMES “BUDDY” ATKINS

Review Committee Finding: QUALIFIED, NOT NOMINATED

Personal Information, Educational Background, and Work Experience:

Mr. Atkins received a Bachelor of Science degree from the University of South Carolina in 1976, with a major in Marine Science. He received a Master of Science degree in Environmental Systems Engineering from Clemson University in 1981. He obtained a Ph.D. from the University of South Carolina in 1998 in Marine Science.

Mr. Atkins was a hydrologist with the Water Resources Division of the U.S. Geological Survey from 1977 to 1979. From 1979 to 1981, he was a graduate research assistant with the environmental system engineering department at Clemson University. From 1981 to 1984, he served as an extension specialist with North Carolina State University’s Biological and Agricultural Engineering Department. From 1984 to 1985, Mr. Atkins served as the Section Chief of the Agricultural Nonpoint Source Pollution Section with the North Carolina Division of Soil and Water Conservation, in which he was responsible for the development, administration and technical oversight of the N.C. Agricultural Cost Share Program for Nutrient Sensitive Waters. From 1985 to 1996, he was employed by Department of Health and Environmental Control, initially as chief for surface water hydrology, and then as a senior scientist/engineering associate; both of these positions focused on various water issues. From 1996 to 2000, Mr. Atkins was a research associate professor with the Earth Sciences & Resources Institute at the University of South Carolina. Mr. Atkins served on the Public Service Commission (PSC), Seat 2 from 2000 to 2004. From 2004 to 2010, he was the president and owner of Regulatory Heuristics, a consulting firm focused on technical and policy issues in

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the energy, water, and environmental sectors. From 2006 to 2007, he served as program manager with the S.C. Commission on Higher Education, in which he assisted in managing the S.C. Research Centers of Economic Excellence Program (this was a non FTE, temporary position). Mr. Atkins served as director of the Richland County Conservation Department from 2010 to 2014, in which his responsibilities included managing budgets of the Richland Soil and Water Conservation District and the Richland County Conservation Commission, project management for the county's contract to establish a Stream-Wetland Mitigation Bank, and overseeing the Conservation Commission's conversion and historic grants program and its conservation easement program.

Mr. Atkins is a member of the American Water Works Association. Within the past five years, he has been a member of the following organizations: (1) Gills Creek Watershed Association (board member 2016-2018); (2) Shandon Neighborhood Council; (3) Midlands Local Food Collaborative (founding member (4) Main St. United Methodist Church; and (5) University of South Carolina Alumni Association (life member).

Test Score: 91

FLORENCE P. BELSER

Review Committee Finding: QUALIFIED AND NOMINATED

Personal Information, Educational Background, and Work Experience:

Ms. Belser obtained a Bachelor of Science degree in Biology from the College of Charleston in 1983, and a Juris Doctor from the University of South Carolina in 1987.

Ms. Belser was a substitute teacher in Summerton, SC from 1987 to 1988. She then served as a judicial law clerk for the Honorable James "Mac" Morris from 1988 to 1990. From 1990 to 1991, she served as an associate with John E. Miles, Esquire. From 1991 to 1993, she worked as an assistant solicitor for the Third Judicial Circuit. From 1993 to 2003, she worked as a staff attorney and deputy general counsel for the Public Service Commission (PSC), where she represented the PSC at all levels of the judicial system. From 2003 to 2004, she served as the executive assistant at the PSC and assisted the Commissioners in developing

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positions in cases by reviewing the record and law in the proceedings and in drafting motions concerning those positions. Since 2004, Ms. Belser has served as general counsel in the Office of Regulatory Staff (ORS), where she provides legal advice to the agency, represents the ORS in proceedings before all courts in S.C., and assists in developing ORS's position in administrative matters.

Ms. Belser is a member of the South Carolina Bar Association. Within the past five years, she has been a member of the following organizations: (1) St. Matthias Anglican Church; (2) American Legion Auxiliary; (3) American Legion Auxiliary Palmetto Girls State (director); (4) Clarendon Hall Land Trust (trustee); and (5) College of Charleston Alumni Association (life member).

Test Score: 95

PATRICIA P. CARSON

Review Committee Findings: NOT QUALIFIED, NOT NOMINATED

Personal Information, Educational Background, and Work Experience:

Ms. Carson received a Bachelor of Science degree from the Missouri School of Mines and Metallurgy in 1977, with a major in Engineering Management.

Ms. Carson has worked as an industrial engineer on various corporate projects from 1976 to the present date. She has worked at Colonial Life Insurance as a public sector analyst, actuarial analyst, product manager and corporate project manager. She has also worked at Citicorp Acceptance Company as a senior operations research/financial analyst. She was employed by Lever Brothers, Inc., and Proctor and Gamble Paper Products, Inc. as an industrial engineer. She also worked for Olin Brass/Winchester Western as a marketing engineer. Ms. Carson served as a Councilmember in North, South Carolina from 2010 to 2015. She is the current Mayor of North, South Carolina and was elected in November, 2015.

Ms. Carson is a member of the (1) MASC Mayors Association; (2) Orangeburg County Chamber of Commerce Mayors Group; and (3) South Carolina Rural Water Association. Within the past five years, she has been affiliated with the following organizations: (1) Association of SC Mayors; (2) North Arbor Day, Inc. (founder); (3) honorary

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commander of Joint Base Charleston AFB; (4) Lower Savannah Council of Governments (board member); (5) North Mayor's Youth Council (creator and leader); (6) North Cooperative Ministry (consulting member for Eartha Kitt Gala); (7) North United Methodist Church - associate member, church trustee, finance committee member, offertory steward, worship lector, leader of Youth Mission Teams to Asbury Hills, SC and Corbin, KY; (8) Orangeburg County Chamber of Commerce Mayors Group; and (9) North Senior Center.

Test Score: 53

BRUCE K. COLE

Review Committee Findings: NOT QUALIFIED, NOT NOMINATED

Personal Information, Educational Background, and Work Experience:

Mr. Cole graduated from Harvard College in 1977 with a degree in Economics. He then earned a Master's degree in Accounting from Northeastern University in 1981 and a Master's in Business Administration from Stanford Graduate School of Business in 1985. He obtained a Ph.D. in Plan, Design and Built Environment from Clemson University in 2012.

From 1978 to 1980, Mr. Cole was employed as an economic analyst for the Abt. Associates, Inc. From 1981 to 1983, he was an auditor at Peat, Marwick Mitchell & Co.

Mr. Cole was employed with AT&T Communications from 1985 to 1989 as a manager. In 1989, Mr. Cole founded Subscriber Technologies, Inc. in San Francisco, CA, and served as its president until 1997. From 1989 to 1990, he was a controller with Interactive Network. From 1990 to 1991, he was the chief financial officer for Douglas Broadcasting. From 1990 to 1993, he worked for ESL/TRW in Sunnyvale, CA where he helped commercialize a variety of wireless technologies. From 1990 to 1992, he served as a board member of Cable Television Cooperative, a cooperatively owned cable-TV system, serving Palo Alto and neighboring areas. From 1993 to 1997, Mr. Cole was employed by William Jackson and Associates in Boston, MA, for which he served as audit manager. From 1995 to 1997, he worked for Pacific Telesis in San Ramone, CA and served as a consultant to facilitate acquisition of Pacific Telesis by Southwestern Bell.

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Mr. Cole was the chief financial officer of the Boston Public Library from 1997 to 1999. From 1999 to 2002, he served as the chief executive consultant for John Hancock Financial Services. In 1999, Mr. Cole founded the Boston Rental Housing Association, and served as its president until 2006. From 2002 to 2005, he was an audit manager for Jackson & Associates.

From 2006 through 2016, Mr. Cole worked at several institutions of higher education as an associate or visiting professor, including Allen University (associate professor, 2006-2008, Division of Business Administration; chair, professor - 2016); Benedict College (assistant professor, School of Business, 2008-2009), Presbyterian College (School of Business - visiting assistant professor, 2009-2010); Southern Wesleyan University (assistant professor, School of Business, 2010-2013), and the University of South Carolina (visiting assistant professor, Department of Finance, 2013-2015).

Mr. Cole is currently the managing director for Palmetto Realty Advisors, LLC, which he founded in 2007. This company develops real estate-centric growth strategies for public, private, and government entities and operates a real estate investment fund, commercial brokerage firm and an advisory business.

Mr. Cole founded the Richard T. Greener Institute for Social Policy Research in 2014, and currently serves as its president. This is a 501(c)(3) non-profit established to support policy-makers and communities with research relevant to South Carolina's African-American citizens. He is also an officer for Palmetto Realty Advisors, LLC and Electronic Health Network, Inc.

In addition to the entities described above, Mr. Cole is currently listed on the Secretary of State's website as the agent for the following entities: (1) The Aviation Fund (501(c)(3)); (2) Cole Financial Publications, LLC; (3) PRA Tax Certificate 1, LLC; and (4) South Carolina Real Estate Journal, LLC.

Mr. Cole is a member in the following professional organizations: (1) American Institute of Certified Public Accountants; (2) American Real Estate and Urban Economics Association; (3) American Real Estate Society, director emeritus; (4) New York State Society of Certified Public Accountants (CPA since 1983); and (5) Urban Land Institute.

Within the past five years, Mr. Cole has been affiliated with the following organizations:

(1) Sierra Club; (2) South Carolina Council on Economic Education; (3) Thomas Cooper Society; and (4) Richland County Airport Commission.

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Test Score: 74

ELLIOTT F. ELAM, JR.

Review Committee Findings: QUALIFIED AND NOMINATED

Personal Information, Educational Background, and Work Experience:

Mr. Elam graduated from the University of South Carolina, where he received a Bachelor of Arts degree in Political Science in 1984, as well as a Master's degree in Public Administration and a Juris Doctor in 1988.

Mr. Elam was employed by the Department of Consumer Affairs from 1987 through 2014, during which he served in various capacities. His employment with the Department began as a law clerk in 1987. In 1990, he was promoted to staff attorney, where he represented utility and insurance ratepayers before the Public Service Commission, the Department of Insurance, Administrative Law Judge Division, the Federal Communications Commission, the Federal Energy Regulatory Commission, and state and federal courts. While a staff attorney, he testified numerous times before committees of the South Carolina General Assembly on utility regulation issues. From 2002 to 2014, he served as the Deputy Consumer Advocate/Consumer Advocate. In this role, he directed the representation of utility and insurance ratepayers before the South Carolina Public Service Commission, the Federal Communications Commission, the Federal Energy Regulatory Commission, the South Carolina Department of Insurance, and the Administrative Law Court. He also represented consumer appeals before the state's circuit courts, the South Carolina Court of Appeals, and the South Carolina Supreme Court. Mr. Elam has served as the Public Service Commissioner for the Second Congressional District since July 1, 2014.

Mr. Elam is a member of the following professional organizations: (1) South Carolina Bar Association; (2) South Carolina Bar Association's Administrative and Regulatory Law Committee; (3) National Association of Regulatory Utility Commissioners (NARUC); (4) NARUC Committee on Telecommunications and Telecommunications Act Modernization Task Force; (5) Federal Communications Commission's Federal-State Joint Conference on Advanced Telecommunications Services; and (6) Southeastern Association of Regulatory Utility Commissioners.

FRIDAY, JANUARY 18, 2019

Test Score: 91

**State Regulation of Public Utilities Review Committee
Performance Evaluation**

Elliott F. Elam, Jr.
South Carolina Public Service Commission
Seat: Second Congressional District
Review Period: July 1, 2015 - June 30, 2016

Commissioner Elam was initially elected to the Public Service Commission on May 28, 2014. During his tenure at the Commission, he has taken advantage of many opportunities to expand his understanding of public utilities issues. Commissioner Elam is a member of NARUC and SEARUC. He is a member of the NARUC Committee on Telecommunications and the NARUC Telecommunications Act (TeAM) Task Force. He was appointed by the Federal Communications Commission to serve on the Federal-State Joint Conference on Advanced Telecommunications. He is also a member of the South Carolina Bar's Administrative and Regulatory Law Committee.

During the review period, Commissioner Elam attended the following educational programs and events:

- NARUC meetings (summer, annual, and winter);
- NARUC Annual Regulatory Studies Program;
- SEARUC annual meeting;
- Emerging Issues Policy Forum;
- Critical Consumer Issues Forum;
- Various training sessions and workshops, continuing legal education courses, allowable ex parte briefings, and statutorily required sessions on ethics.

Based on surveys of persons appearing before the Commission and Commission employees, Commissioner Elam is courteous to all persons appearing before him, is impartial in his treatment of persons appearing before him, has a positive influence on employee morale, and is respected by attorneys and persons appearing before the Commission. The Review Committee's review revealed no evidence of unethical behavior by Commissioner Elam.

FRIDAY, JANUARY 18, 2019

**State Regulation of Public Utilities Review Committee
Performance Evaluation**

Elliott F. Elam, Jr.
South Carolina Public Service Commission
Seat: Second Congressional District
Review Period: July 1, 2014 - June 30, 2015

Commissioner Elam was initially elected to the Public Service Commission on May 28, 2014. During his first year at the Commission, he has taken advantage of many opportunities to expand his understanding of public utilities issues. Commissioner Elam is a member of NARUC and SEARUC. He is a member of the NARUC Committee on Telecommunications and was appointed by the Federal Communications Commission to serve on the Federal-State Joint Conference on Advanced Telecommunications. He is also a member of the South Carolina Bar's Administrative and Regulatory Law Committee.

During the review period, Commissioner Elam attended the following educational programs and events:

- NARUC meetings (summer, annual, and winter);
- NARUC Annual Regulatory Studies Program;
- SEARUC Commissioners Only Summit;
- SEARUC annual meeting;
- Various training sessions and workshops, including allowable ex parte briefings and statutorily required sessions on ethics.

Based on surveys of persons appearing before the Commission and Commission employees, Commissioner Elam is courteous to all persons appearing before him, is impartial in his treatment of persons appearing before him, has a positive influence on employee morale, and is respected by attorneys and persons appearing before the Commission. The Review Committee's review revealed no evidence of unethical behavior by Commissioner Elam.

ADJOURNMENT

At 11:06 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, January 22, 2019, at 2:00 P.M.

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