~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 9:30 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 73:26: “My flesh and my heart may fail, but God is the strength of my heart and my portion forever.”

Let us pray. Almighty God, keep our eyes and our hearts focused on the prize and let these Representatives walk in confidence with You. Calm the strain and stress of each one of these Representatives and staff as they continue to work on those items that mean so much to our State and her people. Bless these people with strength and courage to do the right and thoughtful process. Look in favor upon our leaders, that they may look to You for guidance. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. WILLIAMS moved that when the House adjourns, it adjourn in memory of Roy and Ruby Shingler of Santee, which was agreed to.

**REPORT RECEIVED**

The following was received:

**Findings of Fact**

**Memorandum To: Clerk of the House**

 **Clerk of the Senate**

**Re: Committee Hearings - February 18, 2010,**

 **February 23, 2010 and February 25, 2010**

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

**The Citadel**

*At-large* one seat

 Mr. Dylan Goff

 Mr. Robert E. Hood

 Mr. Michael D. Hunter (withdrew)

 Mr. Wallace Scarborough

 Mr. Duncan Wheale

**Clemson University**

 *At-large* three seats

 Mr. John Bednar

 Mr. John J. Capitan, Jr.

 Dr. Ronald Lee (withdrew - applied for pending seat)

 Ms. Patti McAbee

 Mr. Nicky McCarter

 Ms. Weesie Poole (withdrew - applied for pending seat)

 Mr. Neil C. Robinson (withdrew - applied for pending seat)

 Mr. Allan Sloan

 Mr. Joseph D. Swann

 Mr. John Warner (withdrew - applied for pending seat)

one seat PENDING term to expire 2012

 deadline to apply March 16 5:00pm

**College of Charleston**

 *Six congressional districts, two at-large*

1st District, Seat 1 Mr. Joseph F. Thompson, Jr.

 2nd District, Seat 3 Mr. John H. Busch

 Mr. Gerald Killeen

 3rd District, Seat 5 Ms. Annaliza Oehmig Moorehead

 4th District, Seat 7 Mr. John B. Wood, Jr

 5th District, Seat 9 Mr. Frank M. Gadsden

 6th District, Seat 11 Ms. Demetria Noisette Clemons

 At-large, Seat 13 Mr. Daniel Ravenel

 At-large, Seat 15 Mr. Donald H. Belk

**Coastal Carolina University**

 *Two congressional districts*

1st District, Seat 2 Mr. Larry Biddle

 4th District, Seat 8 Mr. Wyatt Henderson

**Francis Marion University**

*Six congressional districts, two at-large*

 1st District, Seat 1 Dr. H. Randall Dozier

 2nd District, Seat 3 PENDING Ms. Laura Crowther (withdrew)

 deadline to apply March 24, 5:00pm

 3rd District, Seat 5 Mr. R. Tracy Freeman

 4th District, Seat 7 Mr. L. Franklin Elmore

 5th District, Seat 9 Mr. W. C. Stanton

 6th District, Seat 11 Mr. Jim Brown

 At-large, Seat 13 Mr. Robert E. Lee

 At-large, Seat 15 Mr. Kenneth W. Jackson

**Lander University**

 *Six congressional districts, two at-large*

1st District, Seat 1 Mr. Robert A. Barber, Jr.

 2nd District, Seat 3 Mr. Maurice Holloway

 3rd District, Seat 5 Ms. Mamie W. Nicholson

 4th District, Seat 7 Mr. Fred Thrailkill

 5th District, Seat 9 Dr. John Nicholson

 6th District, Seat 11 Dr. Ann Hurst

 At-large, Seat 13 Mr. Raymond D. Hunt

 At-large, Seat 15 Mr. Bobby M. Bowers

**Medical University of South Carolina**

 *Six congressional districts (3 from medical, 3 from non-medical)*

1st District, medical Dr. Donald R. Johnson, II

 2nd District, medical Dr. Harold Jablon

 Dr. Thomas C. Rowland, Jr.

 3rd District, medical Dr. Stanley C. Baker, Jr.

 4th District, non-medical Mr. Thomas L. Stephenson

 5th District, non-medical Dr. James E. Wiseman, Jr.

 6th District, non-medical Mr. Charlie Appleby

 Mr. Robin Tallon

**SC State University**

 *One congressional district, two at-large*

3rd District, Seat 3 Mr. Lumus Byrd, Jr. **(**withdrew**)**

Mr. Robert L. Waldrep, Jr.

 At-large, Seat 7 Mr. Roger Leaks, Jr.

 Mr. Robert M. Nance

 At-large, Seat 9 Mr. Earl A. Bridges, Jr.

 Ms. Patricia Lott

**University of South Carolina**

 *Ten Judicial Circuits*

1st CircuitDr. Sharon Eden

 Mr. Boyd McLeod

 Mr. Charles H. Williams

 3rd Circuit Mr. Jack Osteen

 Mr. C. Dorn Smith, III

 5th Circuit Mr. William C. Hubbard

 Mr. Russ “Chip” McKinney, Jr.

 6th Circuit (term expires 2012)

 Mr. Chauncey K. “Greg” Gregory

 7th Circuit Mr. Toney J. Lister

 9th Circuit Mr. John C. von Lehe, Jr.

 11th Circuit Mr. Michael J. Mungo

 12th Circuit Dr. C. Edward Floyd

 13th Circuit Mr. Richard A. “Dick” Jones, Jr.

 Mr. Mack I. Whittle, Jr.

 16th Circuit (term expires 2012)

 Mr. Alton Hyatt

 Ms. Leah B. Moody

**Wil Lou Gray Opportunity School**

 *At-large* two seats

 Ms.Marilyn Edwards Taylor

 Mr. Thomas B. Hamilton, Jr.

**Winthrop University**

 *Two congressional districts*

3rd District Ms. Janet Smalley

 4th District Mr. Scott Talley

Respectfully submitted,

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

Sen. Thomas Alexander Rep. Lanny F. Littlejohn

Sen. Harvey Peeler, Jr. Rep. David Mack

Sen. Yancey McGill Rep. Bill Whitmire

**COMMITTEE TO SCREEN CANDIDATES**

**FOR BOARDS OF TRUSTEES**

**OF STATE COLLEGES AND UNIVERSITIES**

Thursday, February 18, 2010

1:35 p.m. - 4:19 p.m.

 The meeting was conducted on February 18, 2010 at 433 Blatt Building, Columbia, South Carolina, before Lisa F. Huffman, Court Reporter and Notary Public in and for the State of South Carolina.

APPEARANCES:

Senator Jake Knotts, Chairman

Representative Joan Brady, Vice Chairman

Senator Thomas Alexander

Senator Harvey Peeler, Jr.

Senator Yancey McGill

Representative Lanny Littlejohn

Representative David Mack

Representative Bill Whitmire

Also Present: Sophia Derrick

THURSDAY, FEBRUARY 18, 2010

CHAIRMAN KNOTTS: Your attention, please. At this point in time, I'm going to call the screening committee together for boards and commissions. I want to thank each and every one of you for applying. I'm going to start over here on my right and go around and introduce the committee members. Senator McGill, say anything you want to say.

SENATOR MCGILL: Thank you for letting us participate. We're glad that all of you are doing what you're doing for this state. What a blessing for this state. Thank you.

SENATOR PEELER: I'm Harvey Peeler. I'm glad to be here and I appreciate you folks willingness to serve the state of South Carolina in this capacity.

SENATOR ALEXANDER: Thomas Alexander, Senator from District 1, Oconee and Pickens County. And again I echo those comments. We appreciate your willingness to serve in this capacity.

CHAIRMAN KNOTTS: I'm Jake Knotts. I'm from Lexington County. I appreciate y'all being here and applying.

VICE CHAIRMAN BRADY: Good afternoon. I'm Joan Brady from Richland County House District 78. And I'm glad to be a part of this committee.

REPRESENTATIVE LITTLEJOHN: Lanny Littlejohn, Spartanburg/ Cherokee Counties. Very appreciative of your giving of your time for the State of South Carolina.

REPRESENTATIVE MACK: My name is David Mack, III. State Representative from Charleston, South Carolina. And I echo my colleagues and I appreciate you taking time to serve. Thank you.

CHAIRMAN KNOTTS: If you would, the staff is going to call out your name. If you're unopposed, please stand when she calls your name and remain standing and I will swear each of you in.

MS. DERRICK: We'll start with College of Charleston: Mr. Joseph F. Thompson, Jr., Annaliza Moorehead, John B. Wood, Jr., Frank M. Gadsden, Demetria Clemons, Daniel Ravenel, Donald H. Belk.

Coastal Carolina University: Larry Biddle, Wyatt Henderson.

Francis Marion University: Dr. Randall Dozier, Mrs. Laura Crowther, Mr. Tracy Freeman, Mr. Franklin Elmore, who is unable to attend, to be here next Thursday. Mr. W. C. Stanton, Jim Brown, Robert E. Lee, Kenneth Jackson will also be screened next Thursday.

Lander University: Mr. Robert R. Barber, Mr. Maurice Holloway, Mamie Nicholson, Fred Thrailkill, Dr. John Nicholson, Dr. Ann Hurst, Raymond Hunt, and Mr. Bobby Bowers. That is all the unopposed candidates to appear today.

CHAIRMAN KNOTTS: Thank you. Raise your right hand, please and I'll have staff swear you in.

MS. DERRICK: Do you swear to tell the whole truth, nothing but the truth, so help you God?

CANDIDATES: (Affirmation.)

MS. DERRICK: Thank you.

CHAIRMAN KNOTTS: Okay. All of you remain standing. Do any of you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity? If you do, let us know.

CANDIDATES: (No response.)

CHAIRMAN KNOTTS: Okay. Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

CANDIDATES: (Affirmation.)

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

CANDIDATES: (Negative response.)

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

CANDIDATES: (Negative response.)

CHAIRMAN KNOTTS: Okay. Please have a seat. Members of the committee, I ask do we have any type of agreement on how to screen these people? I personally have talked to some of you and suggest that the ones that are unopposed just come up, state their name, very briefly tell us what board they have reapplied for and anything short that they want to say about the university or their service on the board. Does anybody have a problem with that?

VICE CHAIRMAN BRADY: Chairman?

CHAIRMAN KNOTTS: Yes, ma'am?

VICE CHAIRMAN BRADY: Could we define short since we have so many applicants?

CHAIRMAN KNOTTS: All right. We want to make sure that if you got anything to say that has happened or anything you want to say, we want you to say it, but brevity is of the interest because you -- neither one have an opponent.

SENATOR PEELER: Mr. Chairman?

CHAIRMAN KNOTTS: Yes, sir.

SENATOR PEELER: Is it my understanding that each of these ladies and gentlemen that are running unopposed, they have gone through the screening process at least one time before, previous to today?

CHAIRMAN KNOTTS: Right.

SENATOR PEELER: And nothing's changed because of the questions you've asked earlier from their last screening?

CHAIRMAN KNOTTS: Right.

SENATOR PEELER: And they're running unopposed?

CHAIRMAN KNOTTS: Running unopposed.

SENATOR PEELER: So I would say unless someone has a comment or a question that we would find the people that have been previously screened before and running unopposed, that we find them qualified.

CHAIRMAN KNOTTS: Okay. Well I wanted to do that but I didn't want to upset anybody's feelings. Do I have a second?

SENATOR MCGILL: Second.

CHAIRMAN KNOTTS: Okay. I have a motion and a second. Anyone that has been screened before and has applied for reappointment and have no opposition, that they be found qualified and nominated.

SENATOR ALEXANDER: Yes. Before we take the vote, I would like the different institutions to provide for us a copy of their attendance records just so that we would have that kind of record.

CHAIRMAN KNOTTS: All right.

SENATOR ALEXANDER: This certainly has nothing to do with the vote that we're going to take, but I do think it is important to just have the attendance of board meetings. Thank you very much.

REPRESENTATIVE LITTLEJOHN: When it's taken care of, can I get that from you?

CHAIRMAN KNOTTS: If each of y'all that have missed any meetings, please provide your attendance record to staff. And upon review of this committee, after that, we will notify you if you need to come back. Is that okay? Okay. We have a motion and a second.

MS. DERRICK: There are some people that have to apply that have never been screened before. They're new. And they -- there's like three of them. Maybe we can hear from them?

CHAIRMAN KNOTTS: Would you amend your motion?

SENATOR PEELER: I certainly would. If they've never gone through the screening process before, I think it would be.

CHAIRMAN KNOTTS: Please stand if you've been through the process before and are an incumbent with no opposition. Okay.

SENATOR PEELER: Do you have a list of the folks that have not been screened?

MS. DERRICK: Yeah. Barbara, you've never been through screening, so we'll need to hear from you. Is there anybody else that has never been through screening?

CHAIRMAN KNOTTS: Okay.

MS. HURST: Ann Hurst

MS. DERRICK: Ann Hurst.

DR. NICHOLSON: John Nicholson.

MS. DERRICK: John Nicholson.

MR. CAPITAN: Joe Capitan.

MS. DERRICK: Joe Capitan.

MR. FREEMAN: Tracy Freeman

MS. DERRICK: We'll take you up later, Mr. Capitan with Clemson because you are running opposed. Tracy Freeman. Thank you. Okay. So there were about -- just those. What was that -- five? Five of them.

SENATOR PEELER: I'll defer to you, Mr. Chairman, but just folks that are standing that have completed screening at least one time before and with the information that Senator Alexander wanted, I would ask that the ones that have gone through screening, find them qualified. And then the folks that have not, ask them to stay and they would be put through the screening process.

CHAIRMAN KNOTTS: Okay. We have a motion and a second. All in favor of the motion, say "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Okay. Thank all of you who we just talked about. I'd call you by name, but it's a long list and we do appreciate your service and please provide the staff the information that we have requested. Failure to do that, we will reconsider you. And if you have a problem with attendance, we may reconsider. Thank you for coming. Y'all may be dismissed.

CHAIRMAN KNOTTS: Okay. All right. Staff call the first unopposed candidate and we'll start the screening.

MS. DERRICK: Was there anybody from the College of Charleston that needs to go through screening?

**Mr. John B. Wood, Jr.**

MR. WOOD: John Wood.

MS. DERRICK: John Wood. John B. Wood, Jr. Oh, I'm sorry. You know what? You have opposition, so we're going to wait on y'all.

CHAIRMAN KNOTTS: We're only talking about the people who have no opposition at this time. We'll get through the ones that have opposition in a minute.

MS. DERRICK: Tracy Freeman; Francis Marion.

MR. FREEMAN: All right. So good evening.

CHAIRMAN KNOTTS: Good evening.

MR. FREEMAN: My name is R. Tracy Freeman. I'm from North Augusta, South Carolina and I'm a current alumni of Francis Marion University. I've been dealing with the university for approximately 22 years, 18 years as an alumni. I have served in various capacities in the past. Also an alumni with the advisory board.

 And also I served as the alumni chairman for the central Savannah area which is Augusta/Aiken area. I look forward to serving on this board of trustees to continue my commitment to the university in various capacities and hopefully promote the university any way I can help so far.

CHAIRMAN KNOTTS: Any questions from any of the members? Thank you for coming.

MR. FREEMAN: Thank you, sir.

MS. DERRICK: Lander University. Robert R. Barber, Jr.

**Mr. Robert A. Barber, Jr.**

MR. BARBER: Chairman, members of the committee, I'm glad to be here. And I want to thank Ms. Derrick for her help over the weeks there. And let me make one correction: My middle initial is "A."

MS. DERRICK: Thank you.

MR. BARBER: Okay.

MS. DERRICK: I will fix that.

MR. BARBER: I'm delighted to be here. I have a long-standing relationship with Lander University. My wife spent some time there so, taking some classes. Been to some interesting writing school programs that they were part of with Tulane University. I went to England.

 There was a Lander program there, with my wife. She was a student. I went along. Had some great teachers when I was a younger person who went to Lander. And have known some of the leadership over there for a long time.

 But I think that they have fine leadership now. I think there's a very good working relationship between the board and the administration. And I feel like I can contribute to that and now add some interesting diverse experiences that I've had over the years in time in higher educational myself. And if you have any questions, I'll be glad to answer those.

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

SENATOR MCGILL: A good man.

MR. BARBER: Thanks so much, Senator McGill.

MS. DERRICK: Dr. John Nicholson.

DR. NICHOLSON: I'm John Nicholson. I'm a candidate for Lander University Board of Trustees from the Seat #9. I'm from Ridgeway and I practice dentistry in Winnsboro for 27 years and came up through the public system in South Carolina. I went to Wofford and look forward to serving on the board if I'm elected.

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

COMMITTEE: (No response.)

DR. NICHOLSON: Thank you.

CHAIRMAN KNOTTS: Yes, sir.

SENATOR PEELER: I don't have any questions for the gentleman for voting, but the folk that are holding the position and running unopposed, did they serve an unexpired term? How did they make it without being screened before is the question I'm asking.

MS. DERRICK: It's a vacant seat. This is a vacant seat. And he's the only one that filed.

SENATOR PEELER: I got you. Thank you.

CHAIRMAN KNOTTS: Thank you.

MS. DERRICK: Dr. Ann Hurst.

DR. HURST: Good afternoon, Mr. Chairman, members of the committee. Thank you for having us this afternoon. I'm a veterinary practitioner in Orangeburg County. I'm a native of South Carolina. I was raised in the environment of higher education. As a native of Clemson with a father on the staff and administration for over 30 years.

 I received my education out of state. And I have been making reparations ever since. I am active in my community and see higher education as an essential key to the furtherance of the prosperity of this great state. I'd be happy to answer any questions.

CHAIRMAN KNOTTS: Any member of the committee have any questions or concerns?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Thank you. Have a seat. Okay. Do I have a motion on these that have no opposition that's been before the committee that we just heard from?

SENATOR MCGILL: So moved, Chairman.

VICE CHAIRMAN BRADY: Second.

CHAIRMAN KNOTTS: I have a motion that you'll be found qualified and nominated. At this point in time, and a second, we have. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Thank you. Thank you for coming. You all may be dismissed.

SENATOR PEELER: Mr. Chairman, when you call out -- so the ones that we've dismissed, they've been screened, we've screened them previously. And now today with those ladies and gentlemen we've talked to in this screening -- so now, all candidates have been screened other than at least ones other than the people coming now?

CHAIRMAN KNOTTS: Everybody else --

SENATOR PEELER: Everybody else that has applied has been here. No absentee. When we leave here today, everybody will be screened?

CHAIRMAN KNOTTS: Until the next meeting.

SENATOR PEELER: So --

CHAIRMAN KNOTTS: We got another a meeting.

MS. DERRICK: Next Thursday.

CHAIRMAN KNOTTS: Well let me make sure that everybody understands. Everybody that had no opposition that's been before the committee before at least one time and screened and answered the questions that we asked them, that they were nominated and recommended. And the ones that have not been before the committee in the past have just been reviewed by the committee and they have been nominated and recommended, if they had no opposition. Okay. At this time, we'll move to the ones with opposition.

 At this time, we'll move to the Citadel. Mr. Dylan Goff. He can't be here until the 25th. Mr. Robert E. Hood. Mr. Hood, please come forward.

**Mr. Robert Hood**

 Mr. Hood, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. HOOD: No, sir, Mr. Chairman.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. HOOD: Yes, sir, Mr. Chairman.

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

MR. HOOD: No, sir, Mr. Chairman.

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

MR. HOOD: No, sir, Mr. Chairman.

CHAIRMAN KNOTTS: In the event that a conflict of interest comes up, what would be your position?

MR. HOOD: As to the conflict or as to notice to the committee?

CHAIRMAN KNOTTS: If something came up that presented a conflict of interest to you?

MR. HOOD: I would notify the committee and properly resign from the position.

CHAIRMAN KNOTTS: Resign or just disqualify yourself?

MR. HOOD: Or disqualify. Yes, sir.

CHAIRMAN KNOTTS: You wouldn't resign from the position, would you? The board?

MR. HOOD: Well if that conflict of interest arose, I would make a decision based on the difference between what the conflict was. I think it's kind of difficult for me to answer in the abstract. I would have to look at the situation, but more than likely, I would be able to remain on the board and remove the conflict.

CHAIRMAN KNOTTS: Okay. You would not vote on the conflict?

MR. HOOD: Correct.

CHAIRMAN KNOTTS: Okay. Any members of the commission?

SENATOR BRADY: I had a question. I'm going to ask -- I'm not picking you out. I'm going to ask this question of every one of the candidates: What would be your position as a board member regarding tuition increases for the institution?

MR. HOOD: I think we are in an extremely difficult financial situation in this state both as citizens and as a state in and of itself. I understand the reasonings that go into state tuition increases. And I understand the frustration as a parent and as somebody that would -- will eventually hopefully be paying for education for my children in the future at state-funded colleges. I also am a person who did not come from a family with a lot of money. And I paid for the majority of my Citadel education and my law school education via student loans, which I am still paying for.

 So I think I really do understand all the different aspects of it. There has to be a medium and a compromise that's reached between the financial trouble that the state is in and the financial trouble that the citizens are in to come up with a medium in a representative increase that can accomplish what everybody needs to accomplish as far as moving the state forward in education. I paid a lot of money to go to the Citadel because I was a out-of-state student. And again, I'm still paying for that, so I do understand that and have been through that and live through that. So I do believe that I understand it from the student perspective and the parent's perspective and understand enough of the education system and the monetary system of how the state works to take that position from a board member position.

VICE CHAIRMAN BRADY: Thank you, sir.

CHAIRMAN KNOTTS: Any other members with questions?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Mr. Hood, have you served in the military?

MR. HOOD: No, sir.

CHAIRMAN KNOTTS: Thank you.

MR. HOOD: Thank you, Mr. Chairman.

CHAIRMAN KNOTTS: Next. Michael -- Mr. Michael Hunter.

**Mr. Michael Hunter**

 Mr. Hunter, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. HUNTER: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. HUNTER: Yes, sir.

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

MR. HUNTER: No, sir.

CHAIRMAN KNOTTS: If a conflict of interest should arise, what would be your position?

MR. HUNTER: I would not vote on the conflict.

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

MR. HUNTER: No, sir.

CHAIRMAN KNOTTS: Any questions from any board -- any of the members?

VICE CHAIRMAN BRADY: As a member of the board of trustees for the Citadel, what is your position regarding tuition increases?

MR. HUNTER: Well I'm a chief financial officer at an insurance company and understand the economics of a tuition increase. I have increased premiums for policyholders every year. You have to limit that to the extent you can. But you have to use all the resources available to you. You know, my position would be that the Citadel use all of its resources to minimize any tuition hike.

VICE CHAIRMAN BRADY: Thank you, sir.

CHAIRMAN KNOTTS: Any other?

SENATOR MCGILL: Mr, Chairman, I want to just say for the record, the Citadel followed the direction of the General Assembly and did not raise the tuition at the Citadel, just for the record.

CHAIRMAN KNOTTS: Senator Alexander.

SENATOR ALEXANDER: Following up on that, I guess, if it's what I'm hearing you say just because you could you raise it or just because students would continue to come regardless on how much you raise the fee, that wouldn't necessarily, you wouldn't necessarily raise the tuition just because you can or because people would pay it?

MR. HUNTER: I wouldn't raise the tuition if it weren't necessary.

SENATOR ALEXANDER: Thank you.

CHAIRMAN KNOTTS: In your mind, what would be a necessary reason?

MR. HUNTER: To provide the same education that's currently provided, the one that was provided to me.

CHAIRMAN KNOTTS: Any other member? Any questions?

COMMITTEE: (No response.)

**Mr. Wallace Scarborough**

CHAIRMAN KNOTTS: Thank you, sir. Mr. Wallace Scarborough.

Mr. Scarborough, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. SCARBOROUGH: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. SCARBOROUGH: Yes, sir.

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

MR. SCARBOROUGH: No, sir.

CHAIRMAN KNOTTS: If a conflict should arise, what would be your position?

MR. SCARBOROUGH: I would not vote on the conflict if I'm on the board.

CHAIRMAN KNOTTS: To recuse yourself from voting?

MR. SCARBOROUGH: Yes, sir. Absolutely. I would.

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

MR. SCARBOROUGH: No, sir.

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

VICE CHAIRMAN BRADY: I have the same question.

CHAIRMAN KNOTTS: Okay.

VICE CHAIRMAN BRADY: Mr. Scarborough, welcome back.

MR. SCARBOROUGH: Thank you.

VICE CHAIRMAN BRADY: As a member of the Citadel Board of Visitors, what would be or what is your position on tuition increases?

MR. SCARBOROUGH: Well I believe the Citadel has proven that it wants to keep the tuition as low as possible and get the best quality candidates who can attend the school. We have a lot of candidates that apply. I think there has to be a balance, this net between the number of applications we get and what the tuition is. But I believe we should hold tuition to a bare minimum as long as we can and provide the proper education to the cadets.

CHAIRMAN KNOTTS: Any other members?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Mr. Scarborough, give me a brief reason why you want to serve on the Citadel board?

MR. SCARBOROUGH: Mr. Chairman, I think I -- well my family's got a long history of being with the Citadel. My grandfather was there, my father was there, my uncles all went to Citadel. And ever since I graduated from Citadel in 1981, I've remained active, even on the alumni board, on the advisory committee at the school. I think I bring a unique perspective to the board that will help the board tremendously. I know y'all have tremendous budget restraints year in and year out.

I think I'll be able to help the Citadel Board understand budgetary process and the restraints that y'all are under when you all go to pass your budgets, so I think that perspective would help people.

CHAIRMAN KNOTTS: Any other member have a question?

SENATOR ALEXANDER: Just a brief question here. In some of the information you provided, you talking about keeping the General Assembly informed?

MR. SCARBOROUGH: Yes, sir. As a former member of the House of Representatives, you know, we elect a lot of people who come through and are elected to these boards and we never hear from them again until it's time for them to run again. And I can promise you, I'm not going to be that way. I know a lot of people personally.

 I'm going to keep you as up-to-date of what the happenings are on the board. You'll hear as much or as little from me as you want. I intend you all completely abreast of what's happening on the board because I know it's your seat.

CHAIRMAN KNOTTS: Thank you. Any other members of the committee? Thank you, Mr. Scarborough.

SENATOR PEELER: Mr. Chairman?

CHAIRMAN KNOTTS: Hold on, before you go, one more. Mr. Peeler from Gaffney.

SENATOR PEELER: Thank you, Mr. Chairman. Do you need to amend your personal data questionnaire?

MR. SCARBOROUGH: Yes, sir. I was going to say thank you very much. Yeah, I do need to correct my personal data. When I filled out the information, I was not married and I was living in Charleston. I recently got -- just been married in December. Married Senator Ceips. And we are happily married and living in Beaufort. So I'm actually out of the first congressional district and now in the second congressional district. And the -- do you want me to provide the address of where -- it's 1207 Bay Street, Beaufort, South Carolina 29902. Thank you, sir.

SENATOR PEELER: So Mr. Chairman, since this is an at-large seat, it doesn't matter where you reside; is that correct?

CHAIRMAN KNOTTS: That's right.

SENATOR PEELER: Thank you, Mr. Chairman.

CHAIRMAN KNOTTS: No. It's just for purpose of the records. I'm glad you brought it up, Senator, because we were probably all thinking about it, but we just weren't as astute as you.

SENATOR PEELER: Well, the Senator just spoke to me out in the hallway and reminded me of that.

CHAIRMAN KNOTTS: Okay. Any other member?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Thank you, Mr. Scarborough.

MR. SCARBOROUGH: Thank you, Mr. Chairman. Thank you, members of the committee.

CHAIRMAN KNOTTS: Mr. Duncan Wheale.

**Mr. Duncan Wheale**

MR. WHEALE: Mr. Chairman, members of the committee.

CHAIRMAN KNOTTS: Mr. Duncan, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. WHEALE: Not that would prevent me. I had cancer three years ago, which is why I'm here, why I'm in Charleston. I had prostate cancer. That made me re- evaluate priorities in my life and I announced that I was going to retire then and moved to Charleston to do full-time volunteer work at the Citadel.

CHAIRMAN KNOTTS: And that's under control? You don't think it will create you problems?

MR. WHEALE: Total remission.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. WHEALE: I am a retired Superior Court Judge, so I have no conflicts. In fact, I moved and located five minutes from the Citadel so I could be available at any time.

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

MR. WHEALE: No, sir.

CHAIRMAN KNOTTS: If once you arise, what would be your position?

MR. WHEALE: Similar to when I was a judge, I would recuse myself if I felt.

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

MR. WHEALE: I have a lifetime appointment as a senior superior court judge in Georgia given to me by the Governor of Georgia. But I don't anticipate that would present any conflicts.

CHAIRMAN KNOTTS: Okay. Thank you. Any members of the board?

VICE CHAIRMAN BRADY: As a member of the board, what is your position on tuition increases?

MR. WHEALE: Well, let me say as a parent that had a son that just graduated from the Citadel and experienced tuition increases. I found I spent $100,000 getting my son through the Citadel, but it was worth every dime of it. I think every parent that has a child there, of course, feels that way. There's something about Citadel that's very seldom spoken of and I think that drum needs to be beaten hard and often. And that is that outside of the service academies, the Citadel provides more leaders to the military than any institution in this country.

 I think there are a lot of resources out there that we can approach to give us grants, give us money. And I'm not talking in terms of asking for three thousand dollars or three million. I think there are people out there in this country that would support The Citadel in large sums. Those people, I think, have not been tapped yet. We have a lot of Citadel alumni who are multi, multi-millionaires, who don't give anything to the Citadel.

 Those people need to be approached and convinced that they need to give back. As a last resort, tuition would be increased and passed on to the students that would have to support through loans or their parents. The last number I heard was 80 percent of the cadets have loans that come through The Citadel. So I hate to burden those young people with tremendous loans when they graduate. But as a last resort to keep the doors open, I would support tuition -- that would be the last resort.

CHAIRMAN KNOTTS: Any other member?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: You just came back to South Carolina in 2008?

MR. WHEALE: Came -- yes, sir. January of last year. 2009, excuse me.

CHAIRMAN KNOTTS: 2009?

MR. WHEALE: Yes, sir.

CHAIRMAN KNOTTS: Where did you live prior to that and how long?

MR. WHEALE: I lived in Augusta out -- I started off as a police officer in Atlanta many years ago. And from Atlanta, after I got out of law school To Augusta; started practicing law there. Was there for 35 years until I moved to Charleston.

CHAIRMAN KNOTTS: You mean you started out as a police officer? Good educating. You got street sense. Any other member have a question?

SENATOR PEELER: Mr. Chairman, I just -- out of curiosity -- a superior court judge in Georgia, what's that equivalent to in South Carolina?

MR. WHEALE: Circuit court judge here.

SENATOR PEELER: Same as circuit?

MR. WHEALE: Except we also handle family matters. So it's a combination of your family court and circuit court.

CHAIRMAN KNOTTS: Any other members?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Thank you.

MR. WHEALE: Thank you.

CHAIRMAN KNOTTS: That takes -- that's all for The Citadel. Okay. Do I have a motion on Mr. Robert E. Hood, Mr. Michael D. Hunt, Mr. Wallace Scarborough, and Mr. Duncan Wheale? Any discussion on them?

SENATOR MCGILL: So move the motion.

SENATOR ALEXANDER: Second.

CHAIRMAN KNOTTS: I have a motion and a second. Motion by Senator McGill. Second by Senator Alexander. Any discussion? You find them qualified and nominated. Here's the vote. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed.

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: May they be moved unanimous. Clemson University will be next. I want to make this announcement. Bill Smith has received a life appointment on the Clemson University Board and that has given us a vacancy which we will screen at a later date and vote on at a later date. If any of the members wish to, at this time, apply for that position instead of this one, you have that right to do so, if you so wish. If not, we'll proceed with the screening.

**Mr. Neal Robinson**

MR. ROBINSON: Mr. Chairman, I'm Neal Robinson. I have previously withdrawn from the current race and have entered the race for Mr. Smith's position, just for your information. Not trying to --

CHAIRMAN KNOTTS: Yes, sir. We saw that.

MR. ROBINSON: Good.

CHAIRMAN KNOTTS: And we will be screening you at a later date and you're free to go.

MR. ROBINSON: Thank you.

**Mr. John Bednar**

CHAIRMAN KNOTTS: First is John Bednar. Mr. Bednar, please come forward. Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. BEDNAR: No, sir. I don't.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. BEDNAR: Yes, sir.

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

MR. BEDNAR: No, I do not.

CHAIRMAN KNOTTS: If a conflict should arise, what would be your position?

MR. BEDNAR: I would recuse myself and not participate in anything having to do with the conflict.

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

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

CHAIRMAN KNOTTS: Okay.

MR. BEDNAR: Mr. Chairman, I have a presentation that I've prepared if you would like for me read it, it may provoke questions or answer some questions.

CHAIRMAN KNOTTS: Yes, sir. Go ahead.

MR. BEDNAR: It's approximately 2 and a half to 3 minutes to read.

CHAIRMAN KNOTTS: Feel free to.

MR. BEDNAR: Clemson University has not had an academentia on its board of trustees since the 1920's -- the 1920's. Most boards of trustees, whether in the public or private sector, generally have a majority of experience professionals in their particular fields on their governing boards. Why then does Clemson University not have a single person from the field of education on this board for almost 100 years? Why has the very special and structured board at Clemson been overwhelmingly dominated, almost 100 percent dominated by business professionals on its board? I could not answer my own question.

 But I think it is pertinent and valid to pose it. How can an institution of higher learning in today's world expect to be guided wisely in its scholastic mission by a group of board members who have little or no experience in the very field they are mandated to foster and nurture. And by abstention, how have the elected representatives of the citizens of the State of South Carolina allow this to happen over all these years? Perhaps the answer may lie in one of public education's most common problemage from the outset, funding. Perhaps the responsible and well-meaning goal of providing high-quality college level educational institutions, without the necessary tax revenues to pay for them, has led this state and many others to rely very heavily on the private sector, federal grants, research foundations, and alumni support to bolster the meager resources available from the state funds and hopefully provide the kind of higher education everyone in this state would like to see.

 I, for one, think that this is the driving force behind the educational tragedy that I see and wish to reverse at Clemson University. Largely due to its business-oriented board of trustees, which has dominated Clemson's leadership for so long, the institution has grown, expanded its horizons and thrived, exactly like a major corporation. It has evolved from being an all- male, all-white agriculture-oriented institution of higher learning, with a small student body to a co- educational, racially mixed, prestigious, mid-sized university in the southeast. It has made many of the citizens of the State of South Carolina proud. And distinguished itself in a number of higher education endeavors as it's put itself on the national map.

 But much of what's been accomplished at Clemson has occurred outside of the purview and control of the state legislature. I guess that what I'm trying to say is that the legislature in the State of South Carolina has, sadly, neglected some of its responsibilities to its own citizens to live up to the commitments it accepted in the terms of Thomas Green Clemson's will. I know it may sound odd for a candidate for Clemson's board to stand here and chide you. SENATOR PEELER: It's funny I felt the same way. MR. BEDNAR: When you expect something else, but that in my mind is the sad truth. Clemson has gone the way of any public institution left to its own devices under the circumstances. But now, there is a need to call upon you to rectify some of the abuses that have occurred because Clemson has become a higher identity.

 Identity controlling you as best it can while forging ahead in directions that may well violate the educational principles which you've been elected to uphold. Particular in the field of fiduciary matters. In the process of striking out in some, Clemson has followed the path of least resistance, the path of corporate modeling. For many of you, this may be a welcomed development. But for many of the educators at Clemson, it has spelled true educational disaster.

 It is one thing to state boldly that you want to be ranked among the top 20. It is quite another to muzzle voices of concern on the faculty, voices that raise reasonable concerns about how you are trying to get there. Clemson University has become overly preoccupied with packaging and selling a product to the detriment of its educational mandate from this state, in my opinion. And to the chagrin of many South Carolinian parents who believe their children should be admitted. I will belabor this issue no more. As an emeritus faculty member of Clemson, and a former member of the faculties of Princeton University, the University of California at Berkeley, and the Pennsylvania State University, I want to plead the case for educational integrity and the core values of education with a capital "E" as a member of Clemson's board. Amidst all of the turmoil surrounding Clemson's financial future, dually addressed by the business people already in place, there should be at least one voice on the board, standing up for the educational principles of the institutions and sensitive to the educational needs of South Carolinians. This may turn out to be an adversarial position. That is not necessarily bad.

 It would bring a much needed meeting of the minds between the world of business and the world of education. They are different. Unfortunately, there is no educator's voice being heard today on the board of Clemson University and I think there should be one. Thank you.

CHAIRMAN KNOTTS: Any members of the board would have a question? Senator Alexander.

SENATOR ALEXANDER: I just have one. And I appreciate your comments and your statement. I guess, the question I have is do you feel that the students are getting a quality education at Clemson University?

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

SENATOR ALEXANDER: You do not?

MR. BEDNAR: I feel that the quality of education at Clemson University has been diminished.

SENATOR ALEXANDER: Thank you, sir.

VICE CHAIRMAN BRADY: After your comments as a member of a board, what would be your position in terms of increasing tuition?

MR. BEDNAR: My position would be to decrease tuition. And I think that's feasible. While I maintain a high level of education.

CHAIRMAN KNOTTS: Representative Littlejohn?

REPRESENTATIVE LITTLEJOHN: Now Dr. Bednar, you say we're -- the legislature's not lived up to its support of Clemson University. How can you decrease tuition if we're not supporting it financially?

MR. BEDNAR: I -- my statement was not support; it was responsibilities.

REPRESENTATIVE LITTLEJOHN: Well I don't --

MR. BEDNAR: And that was not necessarily -- but it's not necessarily financial support. That includes financial oversight. Okay?

REPRESENTATIVE LITTLEJOHN: What are they then? What are some of the things that we haven't done?

MR. BEDNAR: I don't think you've been a very good watchdog as far as the fiscal management of Clemson University is concerned.

REPRESENTATIVE LITTLEJOHN: The fiscal amount?

MR. BEDNAR: Fiscal.

REPRESENTATIVE LITTLEJOHN: Fiscal.

CHAIRMAN KNOTTS: Representative Mack.

REPRESENTATIVE MACK: Thank you, Mr. Chairman. I want to follow up on Representative Littlejohn's question. Give us some idea of some -- because if you're talking about cutting tuition in these times, you have to have some creative ways in which you at least bring in revenue to at least maintain where you are, salaries and resources, all the things that are needed. What are some of the creative things you're looking at that needs to be done in order to do that?

MR. BEDNAR: Well, I think one of the most obvious areas where a great deal of savings could be accomplished is in the management of the institution. I think that Clemson has had an overblown top heavy managerial structure with exorbitantly high salaries. So I'd start there. And I think there is a considerable amount of savings that could occur, starting there. But there are many other things that Clemson could do to restructure its budget without -- and I'd like to underline this, at least in my opinion as a member of the faculty, without diminishing the quality of education not one iota at Clemson University.

SENATOR MCGILL: Mr. Chairman?

CHAIRMAN KNOTTS: Yes, Senator.

SENATOR MCGILL: You're on the faculty now, sir?

MR. BEDNAR: I'm a professor emeritus. I taught at Clemson for 16 years.

SENATOR MCGILL: Yes, sir. If Clemson is that bad, why in the world are you still affiliated with them? I'm listening to you talk, but you've not said one positive thing about Clemson University.

MR. BEDNAR: Excuse me. I believe I did say some very positive things about Clemson University. And I thought I said that there are a lot -- large number of people in the state of South Carolina that are proud of the accomplishments of Clemson University. Clemson has done some very good things in education. It has, however -- oh, and by the way, before I go any further, I have two sons who graduated from Clemson. I have a vested interest in their future. And they will have with them the name of Clemson University for the rest of your lives. And I have a great deal of affection and admiration and love for Clemson University. So assuming that I have only negative things to say about the institution is an incorrect assumption on your part. I am not in that position.

SENATOR MCGILL: Let me help you. Mr. Chairman, I've had two daughters to graduate from Clemson University. And I can tell you right now, I would personally not like to see anybody like to see anybody like you serving there. I'm offended by what you said in this room today. It's a disgrace what you said about that university.

CHAIRMAN KNOTTS: Yes, sir.

SENATOR WHITMORE: Thank you, Mr. Chairman. Dr. Bednar -- is that correct?

DR. BEDNAR: Bednar.

SENATOR WHITMORE: Bednar. Do other faculty members feel the same as you do? This is concerning, I think, to all of us, that I think we've got an outstanding university in the upstate. And I just don't know if this is pervasive just with you or with --

DR. BEDNAR: I think the communication between the legislature and the university has not been that good. And the answer to your question is, yes. I am by no means alone the proof of that is the fact the faculty survey was done by the faculty senate last year with over 400 people giving answers to questions that raised the very concerns that I have. So I'm not all alone.

REPRESENTATIVE WHITMIRE: Are you concerned with the direction being taken to achieve the top 20?

DR. BEDNAR: Yes. I'm very concerned about it.

REPRESENTATIVE WHITMIRE: What would you do? What would be your recommendation?

DR. BEDNAR: My recommendation would be to abandon that entirely. And the reason that I would recommend that is that -- well, I've said earlier that I taught at the University of California at Berkeley, which happens to be the number 1 in the top 20.

REPRESENTATIVE WHITMIRE: Right.

DR. BEDNAR: And the resources of the University of California at Berkeley so far outstrip the resources of Clemson University that it's almost ridiculous. It takes a lot of resources, very, very serious, high- powered financial resources to accomplish the goals that have been set up for Clemson. Those resources are not available now and there isn't any particularly bright indication that they will be available.

SENATOR WHITMORE: And so, what direction would you like to see the university go if you don't want them to strive for a top 20 status? Tell me your direction.

DR. BEDNAR: My direction would be to have a great deal more confidence in the faculty at Clemson University which has been, as I said in my presentation, muzzled with the -- this term "Top 20." "Top 20" has become a slogan that has been used to browbeat a large number of the members of the faculty at Clemson University into submission.

REPRESENTATIVE WHITMIRE: Am I right to assume there's some personal conflict between you and --

DR. BEDNAR: No.

REPRESENTATIVE WHITMIRE: -- some of the. You have no --

DR. BEDNAR: No.

REPRESENTATIVE WHITMIRE: -- no personal --

DR. BEDNAR: No.

REPRESENTATIVE WHITMIRE: I respectfully disagree with some of -- I'm not a Clemson graduate, so I feel like I can speak on the topic. But I just --

DR. BEDNAR: I certainly didn't expect you to agree with me.

SENATOR WHITMORE: Right. Right. But I certainly will take your statements under advisement. Thank you.

DR. BEDNAR: Thank you.

CHAIRMAN KNOTTS: Any other members of the board?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Sir, if you feel like you feel about Clemson and all the bad things about it, what do you think about Carolina?

DR. BEDNAR: In many ways Carolina might be a reflection of what's going on a Clemson, but I don't have any --

CHAIRMAN KNOTTS: Is there any university in South Carolina that you have confidence in? Or you just have all your confidence in --

DR. BEDNAR: With all due respect, Senator, I believe I just said that I have two sons who graduated from Clemson University. I think there is a misconception. Criticism, in my mind, is not hatred. Criticism is simply raising concerns that I think are vital and important to raise.

CHAIRMAN KNOTTS: Have you brought these concerns before the board?

DR. BEDNAR: I certainly have.

CHAIRMAN KNOTTS: Recently?

DR. BEDNAR: Two years ago, I addressed a personal letter to every single member of the board of trustees expressing my concerns. I did not receive a single answer. I will be glad to furnish a copy of that letter to you.

CHAIRMAN KNOTTS: Any other questions? Senator from Gaffney.

SENATOR PEELER: Thank you, Mr. Chairman. Bear with me, sir. You gave me a lot to think about. But what type of professor are you? What did you teach?

DR. BEDNAR: I taught French at Clemson for 16 years.

SENATOR PEELER: Do you think you were overpaid?

DR. BEDNAR: That's an interesting question. Yes, I think I was.

SENATOR PEELER: Did you return the money?

DR. BEDNAR: No.

SENATOR PEELER: Normally, I --

DR. BEDNAR: That was a segue. That's a good way to ask a question.

SENATOR PEELER: Normally, I use more humor than not, but that's quite humorous.

DR. BEDNAR: A better way to answer your question would be to say that I, like many of my colleagues in the profession, never got into for the money. I would venture to say that the vast majority of people who decide to become professional educators are not motivated by money. They are, however, motivated by other things.

SENATOR PEELER: But money drives tuition cost; doesn't it?

DR. BEDNAR: Yes, it does. And the decisions about what you do with your money that have nothing to do with education also drive the increase in cost.

SENATOR PEELER: For example, the amount of salary we pay professors like you?

DR. BEDNAR: No. No. If you take a close look at -- well. If you take a close look at the salaries at Clemson, they are competitive in some areas and not competitive in others. But there are other expenditures that occurred at Clemson University that have nothing to do with professors and their salaries. And they far outstrip some of the decisions about salaries.

SENATOR PEELER: Mr. Chairman, that old saying goes I don't agree with what you say, but I'll defend to the death your right to say it. You have your right to your opinion. My question to you, Mr. Chairman, is what makes someone qualified? Our mission as this screening committee is to determine whether a candidate is disqualified. And I think what you've said today, I tend to agree with Senator from Williamsburg that what you've said, in my definition of qualification, finds you disqualified, but I'm not quite ready right yet to say that. So I would, if there's no other question or comment, would like for us to carry this gentleman's application over for future determination because I don't want to act hastily about this. Because like I say, a person's thoughts and beliefs, I don't know whether that enters into whether someone's qualified to serve as a board member, but I'm close, very close. But Mr. Chairman, I would ask that we carry this one over.

SENATOR ALEXANDER: Mr. Chairman?

CHAIRMAN KNOTTS: You'll withhold it?

SENATOR PEELER: I'll withhold it. Yes, sir.

SENATOR ALEXANDER: Because I want to follow up, if I could with one of the statements that you made in response to the Senator from Cherokee. You said you felt like you are overpaid, if I heard you correct?

DR. BEDNAR: I was going to add something in a more humorous vain and it had to do with my commitment to education, and not my specific salary. I often used to say that I was overpaid and under worked because I enjoyed my profession so much.

SENATOR ALEXANDER: I guess my follow-up question though, do you feel that other professors at the university are also overpaid?

DR. BEDNAR: I think there are probably a certain number of professors at Clemson that are overpaid, yes.

SENATOR ALEXANDER: So it's not just in your comments to the administration, but then that goes down to the professorship as well?

DR. BEDNAR: Yes. On an individual basis, I think you have to look at every one of them. But frankly, the question of me being overpaid was raised in an area that I was going to be a little bit humorous about. I don't think that there are very many people at Clemson University who would say that they were overpaid as professors.

SENATOR ALEXANDER: Thank you.

CHAIRMAN KNOTTS: Okay. Representative Brady.

VICE CHAIRMAN BRADY: I just have a short comment. And certainly, Mr. Bednar, I appreciate you candor. I find it very interesting and certainly very different most of the screening that I have been privy to.

DR. BEDNAR: I didn't come here today thinking there would be any other reaction.

VICE CHAIRMAN BRADY: I understand. I understand. And you took a calculated risk, I must say. But I think I agree with Senator Peeler in that we really have to re-evaluate what is the criteria, at the very least, at the very least, I would hope that we are looking for someone to serve on these boards who are cheerleaders from the institutions that they're going to be representing at the very least. Certainly we want candor and, you know, we don't want somebody who's just going to go along and to get along and, you know, I will give you the assumption that some of your comments may have validity, however, it's all in the presentation. And, you know, at this point, I would have to share the concerns of my colleagues. We want somebody whose going to question the establishment, but I have not heard any solutions. I've heard a lot of concerns, complaints, and you've made me, in this particular situation, you haven't had the opportunity to articulate those, but we're looking for people to serve on these boards who are going to be supportive, who are going to speak in favor of these institutions and are going to have a positive solution. And I see that lacking in your presentation.

DR. BEDNAR: Well if we had the time, I think I could give you a number of very positive directions.

VICE CHAIRMAN BRADY: Thank you, sir.

DR. BEDNAR: And just as a further comment, I think that Clemson has too many cheerleaders.

CHAIRMAN KNOTTS: Do we have a motion?

SENATOR PEELER: I have a comment.

CHAIRMAN KNOTTS: Senator from Gaffney. I wasn't going to add my comment. Well, I'll let you have yours.

SENATOR PEELER: Okay. You ever heard of a fellow named Dale Carnegie? How to win friends and influence people?

DR. BEDNAR: Yes, sir.

SENATOR PEELER: That's a course you might look into.

DR. BEDNAR: I didn't come here thinking that I would winning friends and influencing people.

SENATOR PEELER: Well, I think that's obvious.

DR. BEDNAR: Well, perhaps that's --

SENATOR PEELER: Not necessarily to win friends, but you've got to influence people. I just --

DR. BEDNAR: Perhaps that's what --

SENATOR PEELER: An interesting situation. And I just think --

DR. BEDNAR: Senator, perhaps that's what people do who are curing the favor of someone to vote for them. I am obviously not doing that. I am trying to present what I think are very serious problems with an institution that I care deeply about. And there's a difference between standing up and sharing when you think that someone should be standing up in opposition. And I'm standing up in opposition.

CHAIRMAN KNOTTS: Representative Littlejohn?

REPRESENTATIVE LITTLEJOHN: Mr. Chair, before the motion is taken I am probably going to have to argue on this. I don't like what I've heard. But I, you know, I don't see any reasons to disqualify Dr. Bednar in his seeking this position, but I don't know what qualifies us to say whether he's screened or not, but I have, you know, I've not heard a lot of good thing, but I haven't heard basic things that disqualified him from serving on the Clemson board. I mean, he got two sons that graduated, he taught there. As far as our screening process goes, I mean we haven't seen anything other than negative remarks about Clemson, but sometimes negative things can reap positive things, so looking down the road, he could be a good thing, but, you know. I know I'll probably be in the minority on this, but that's -- I had to say that.

SENATOR PEELER: Mr. Chairman, if I could amplify what Representative Littlejohn said. I think you're -- you pretty much seconded my motion by that comment in that I really need to know what our mission is when it comes to finding someone qualified or disqualified to be a candidate to serve. That's why I prefaced my remarks to that. If it was a situation -- I graduated from Clemson. I have a father and a son who graduated from Clemson.

 Our representative from Williamsburg was offended by quite a few of your remarks, but does that mean you're not qualified to serve on the board of trustees? I'm not yet ready to make that determination. And that's why at the proper time, I'd like to move to carry this gentleman over. Every one reserving their right, let us look at what our mission is, Mr. Chairman. And quite frankly, I'd like to talk with you about it.

And if we could carry this one over until next week or the next time we meet. I personally think that's the proper thing to do. I understand what Representative Littlejohn said.

CHAIRMAN KNOTTS: I have a motion and a second. I second it. Any discussion? All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: We'll let you know what our decision is.

DR. BEDNAR: Thank you.

CHAIRMAN KNOTTS: Good luck.

MR. WHEALE: Mr. Chairman, may The Citadel applicants be excused?

CHAIRMAN KNOTTS: You've already been screened?

MR. WHEALE: Yes.

CHAIRMAN KNOTTS: Yes, sir.

MR. WHEALE: Okay. We love Clemson, too.

CHAIRMAN KNOTTS: Next on the agenda is Mr. John Capitan.

**Mr. John J. Capitan, Jr.**

Mr. Capitan, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

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

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. CAPITAN: Yes, sir, I would.

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

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

CHAIRMAN KNOTTS: If a conflict should arise, what would be your position?

MR. CAPITAN: I would disqualify myself from any part of the conflict as far as voting.

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

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

CHAIRMAN KNOTTS: Okay. Why do you want to serve on the board?

MR. CAPITAN: Mr. Chairman, committee, I have been a professional engineer now for 33 years in South Carolina and have served Clemson in a professional capacity for many number of years during that period of time. And I've also served as associate professor at Clemson, serving in the School of Architecture, Construction Science Department in 2005, '06, and '07. And because of funding, that position had to be cut, which was totally understandable given the economic downturn that has occurred recently. But I have a true love for Clemson. I have been in the upstate now since 1968.

 And Clemson University is one of the schools that afforded me, allowed me to get my registration back in 1976 when I took my board exams for South Carolina. I'm registered in 12 states in the United States, all along the eastern seaboard as well. And it's all due to being a member of the national council and doing examiners, it's a board of certified professional engineer. Clemson has been a real focus. And most people in the upstate, especially when it comes to education, so is as well as professionals such as myself in engineering.

 I have volunteered on many activities for Clemson through the engineering societies as well as serving on advisory council with the Construction Science Department for the students and their competition for many of the designs and the construction projects that they go out even in the Midwest or throughout the Southeast region. And that's been a great privilege of mine. So I would like to serve on the board of trustees. I do have a positive approach to Clemson. I think there's many, many ways we can save money as far as tuition goes.

I think I'd like to try to answer that question first. And saying that any financial institution has to guide itself based on its demands and its needs, one of which is a demand for students is important, to keep the demand for students up high. Clemson posts rank in top 20, 17,000 students; many of you already know that. But I'd like to see Clemson go to number one.

 I mean, I think it's a great institution. I've been a part of that school as far as seeing it be built physically. We've built that part -- my firm is Delta Engineering in Greenville. I'm president of that firm. And I've been a part of many of the restoration and renovation projects on the campus.

 And I'm familiar with the infrastructure on the campus and the costs that's involved in trying to maintain a campus is very, very costly especially a school as old as Clemson. So there are many, many things outside of the educational arena that demand costs, demand deeds from finances. And sometimes that's difficult to make the decision whether you're going to increase tuition or not. But I think all of that has to be weighed out in the arena of all the facts before a person whenever you serve on a board. I serve on a board of a North Carolina Christian organization and it's a non-profit board.

 It's a difficult board to try to make your means come together and work together as far as budgets. But being on board, it is a non-profit, you'll find yourself with your givings and the revenues that come into that particular arena fluctuating all the time. So you're constantly looking at your finances, constantly weighing exactly what has to be done. So it's a technical situation whenever you're trying to make budgets and to also decide whether there's going to be an increase for costs. So I'm not opposed to increasing tuition when it's justifiable, especially when all the facts have been heard.

 And Clemson's had a lot of increases, I know, in years, especially with energy. My particular profession is mechanical engineer. I'm keenly interested in how can Clemson save in energy. There's many board members here know there's a thrust to try to keep the energy costs down. So I think in this country, we all know that.

 And so I think each institution is trying to do what it can to try to do just that. And many of you may know -- may not know loss of a great person at Clemson. Jeff was on the -- head of all the utilities at Clemson. Friend of mine who died from cancer here a couple of years back. And his keen interest was trying to manage energy and he did a great job. He cut a lot of energy costs down. That helped, you know, take the pressure off a lot of things, but that's just one element at a university. I believe I can contribute to that. And I think that I would be qualified as a candidate certainly and proactively.

CHAIRMAN KNOTTS: Let me ask you one question, and then I'm going to ask any other board member. You were a professor at Clemson?

MR. CAPITAN: I was associate, yes, sir, just as elected profession. Yeah.

CHAIRMAN KNOTTS: Were you overpaid and under worked? Do you feel you were overpaid and under worked?

MR. CAPITAN: When I interviewed with the chair of that department, I did not bring up anything about pay; he did. And was delighted and I enjoyed being able to contribute to the students. I had one semester, I had 126 students and I was a part-time professor traveling back and forth from Greenville, so it was that plus trying to run a practice with 12 or 13 people in practice --

CHAIRMAN KNOTTS: That's fine. I think you answered by question.

MR. CAPITAN: I don't think I was overpaid. No, sir.

CHAIRMAN KNOTTS: Okay. Is it any other member?

REPRESENTATIVE WHITMIRE: Yes. I've got one.

CHAIRMAN KNOTTS: Yes, sir.

REPRESENTATIVE WHITMIRE: I'm still concerned about this what I heard in this previous --

MR. CAPITAN: Yes. Me, too.

REPRESENTATIVE WHITMIRE: -- statement. How do you feel about the direction that Clemson is going --

MR. CAPITAN: Well we all know that Clemson's under scrutiny right now. And whether that's justifiable, it's yet to be seen, I'm sure. But I think Clemson is headed in the right direction. I think we've got some great administration there with President Barker. I think there is a lot of good things positively happening in the schools.

Having had dialogue within the faculty, what little I could interact with faculty there being part-time, I did not seem to go away from there during that period of time as though there was a disgruntled faculty. I thought it was positive. It was always what can we do for the students, which is where your focus is. And so, I think there may very well be disgruntled faculty that I don't know of at Clemson.

 But at the same time, I know the School of Architecture and Building Construction -- I don't know. It's just a different mind set for that. I think it was always for the students. But I think Clemson is certainly at a place that it could herald itself even further as a higher place of learning.

REPRESENTATIVE WHITMIRE: What do we have now about 2,900 freshmen coming in? Do you happen to know how many applicants Clemson had?

MR. CAPITAN: It's been a lot of applicants. Some have been turned away, of course, because it's such a popular school.

REPRESENTATIVE WHITMIRE: It's my understanding that --

MR. CAPITAN: I understand somewhere in the excess of 2,500 as far as I know. Now I'm sure some of --

REPRESENTATIVE WHITMIRE: Right. I'm sure they've had some later. But it seems to me like if Clemson wasn't doing the job that we're intending --

MR. CAPITAN: Well it's a public university. It's a public university.

REPRESENTATIVE WHITMIRE: -- we wouldn't have a tremendous number.

MR. CAPITAN: Right sir. Very tough.

REPRESENTATIVE WHITMIRE: And like I say, I'm speaking from an outsider.

MR. CAPITAN: And I've had the privilege to be able to be a part of that faculty in a short way and it was fun, it was exciting. It was something I really didn't want to leave, to be honest with you, because of the mundaneness -- sometimes a private practice offers for you many long hours as a professional in rank running a shop. But I got tremendous satisfaction from students. I think there's an opportunity for board of trustees to interact with students, and as I'm sure they do now. I would certainly vote my place there, but I would also covet the opportunity to be a board of trustee, to be able to be your representative as well. And to say it from another candidate's position, I would be open to hearing from you at any time or certainly give you a report as needed from time to time.

REPRESENTATIVE WHITMIRE: Thank you very much. Thank you, Mr. Chairman.

CHAIRMAN KNOTTS: Thank you. Anybody else want to ask any other questions. Senator Peeler.

SENATOR PEELER: No more questions or comments. I would move the candidate to qualify.

VICE CHAIRMAN BRADY: Second.

CHAIRMAN KNOTTS: Any other motion that the candidate -- or Mr. Capitan be qualified and nominated. I have a second. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

MR. CAPITAN: Thank you.

CHAIRMAN KNOTTS: Thank you. And you may be dismissed. Mr. Robert Lee. Mr. Lee, briefly tell us why you want to serve on the board, after I ask you a few questions.

**Mr. Ronald Lee**

MR. LEE: Certainly.

CHAIRMAN KNOTTS: Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. LEE: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. LEE: Yes, sir.

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

MR. LEE: No, sir.

CHAIRMAN KNOTTS: If a conflict should arise, what would be your position?

MR. LEE: I would recuse myself.

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

MR. LEE: No, sir.

CHAIRMAN KNOTTS: Briefly tell us why you wish to serve.

MR. LEE: Senator Knotts and other members, I just want to thank you for the opportunity to be here. I also want to say thank you for your service. I did graduate from Clemson in '76 as a micro-biology major. Here at Clemson, you have to take a foreign language. And Dr. Bednar, I'm glad I chose German instead of French.

Anyway, my wife also graduated from Clemson the same year. Just a little bit about myself, my father attended Clemson. He left as a sophomore to join the Marine Corps when the war broke out. He did not go back and graduate.

 My parents were both blue-collar workers and made a lot of sacrifices to send me to Clemson. And I appreciate that. But my father was quick to tell me anything after that, I was on my own. So he did instill discipline in me for which I am grateful, as you can imagine. A marine corps sergeant might tend to raise his son a little strict at times.

After graduating from Clemson, I went to the University of North Carolina School of Public Health to get a bachelor's degree. I got to give my wife the credit. She worked and paid bills. I did get a little stipend, but most of the support came from her. I've been working for Dupont for 5 years as a engineer.

 I have two children. And then after a lot of prayer and risking assault from my wife, I decided I wanted to go to dental school. So she agreed and the student loans and my wife working again, and my working, we worked our way through dental school, which was a good lesson, too. It teaches you that you don't need money to be happy. And if you're committed in God's will, everything will work out.

A little bit about my children. As a -- will show you the value I place on education. I have three. The oldest graduated from Clemson, went to law school here, is an attorney in Columbia. I'll skip my middle one.

My youngest just graduated from Clemson, will be attending grad school at MUSC in the fall. This is where I have to come clean. My middle child graduated from USC. And I was okay with it. And it's a good school, too.

 But she went to graduate school and lives and works in Pawleys Island, they are doing well. So I don't stand up here pretending to have all the answers. But I do have a passion for education, a desire to serve, and a willingness to work. I understand the need for transparency as you are accountable to your constituents. I understand that elected trustees are accountable to you.

 So it would be a great privilege, I'd be honored and humbled to be considered for the position. I'd be happy to answer any questions.

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

VICE CHAIRMAN BRADY: Well I'm sorry, but I stepped out. Did you answer the question about what you would do as board member in terms of raising tuition?

MR. LEE: Would you believe me if I said, "Yes"? No, I didn't. Well I willingly paid for my children to go to school. My daughters were either a little more intelligent or worked a little harder than my son. He didn't -- he lost his scholarship, life scholarship pretty quickly because he majored in hunting and fishing, but he did graduate. But regardless, I consider what it cost me a great value. I'm pleased with the direction of Clemson, with the current administration. I feel my children had a good education. They had a positive experience.

 And that's what the desire, I think, of every trustee should be to the future students to have that same experience. In regards to tuition increase, you know, it's hard for you guys to give out money if you don't have it to give out. I understand that. But after becoming as lean and mean as you could, you know, I'll be honest with you I'd probably try to put the screws to the out-of-state people first.

 I think Thomas Green Clemson's will says he existed, he wanted the university to educate the farmers and mechanics of South Carolina. I'm a dentist; I consider myself a mechanic. We work on teeth and use little bitty tools, but it worked for me.

CHAIRMAN KNOTTS: Senator from Gaffney, do you have a question?

SENATOR PEELER: No. Just at the proper time, I wanted to move for favorable report on the candidate.

CHAIRMAN KNOTTS: Any other questions for the candidate?

SENATOR PEELER: No.

CHAIRMAN KNOTTS: Do I have a motion? Senator from Gaffney has a motion to find him qualified and nominated.

SENATOR LITTLEJOHN: Second.

CHAIRMAN KNOTTS: Second by Senator Littlejohn. Any discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: If no discussion, all in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Thank you. You may be dismissed, Mr. Lee. Next is Ms. Patti McAbee.

**Ms. Patti McAbee**

For information of the board, Ms. Patti McAbee is an incumbent and she has been screened by the board previously.

MS. MCABEE: Thank you, Mr. Chairman. And I appreciate the opportunity to appear before you today along with members of your distinguished committee.

CHAIRMAN KNOTTS: Ms. McAbee, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MS. MCABEE: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MS. MCABEE: Yes, sir.

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

MS. MCABEE: No, sir.

CHAIRMAN KNOTTS: If such a conflict should present itself, what would be your position?

MS. MCABEE: Should that occur, I would recuse myself from discussion and voting on that issue.

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

MS. MCABEE: No, sir.

CHAIRMAN KNOTTS: Okay.

REPRESENTATIVE LITTLEJOHN: Mr. Chairman, I have one question.

CHAIRMAN KNOTTS: Yes, sir, Representative Littlejohn?

REPRESENTATIVE LITTLEJOHN: Ms. McAbee, have we had other women serving on the Clemson Board? Are you the first or what?

MS. MCABEE: Representative Littlejohn, I was elected in 1993 by the General Assembly. And at that time, I became the first woman to serve on the Clemson Board of Trustees. And since that time, I have been the only woman to serve on that board.

REPRESENTATIVE LITTLEJOHN: Thank you.

MS. MCABEE: Thank you.

CHAIRMAN KNOTTS: Representative Brady?

VICE CHAIRMAN BRADY: Ms. McAbee, I have the same question. The position on tuition increases and I'm going to ask the same question of all incumbents for all the commissions, but have you voted on a tuition increase during your tenure?

MS. MCABEE: Tuition is a very important component of the revenue streams that this board uses to fund the activities of Clemson University. And I understand that in this year, particularly, the General Assembly in South Carolina is facing severe budget shortfalls. And I appreciate your question, because I know that you join us and we join you in concern about this issue, realizing that the state revenues will not be at the levels that they have been in the past to fund the activities of many of the agencies including Clemson. My opinion about tuition is -- has varied over my length of service, the 17 years that I have served. The first three years of my service, the board of trustees voted to raise tuition 0 percent for three consecutive years. And it appeared to us that when we faced a time of needing to increase those -- that revenue stream, we had perhaps been less than responsible in not providing some cost of living increases that would -- what ultimately happened is that we had to raise tuition more in the following year than we would have wanted to. So, yes, I have been a part of tuition increases as well as a member of a board who gave zero percent tuition increases. And I voted in favor of both of those ends of the extreme. In the future, I would look very carefully at how tuition is affecting the -- number one, the overall quality of the education we're providing the students; that is what we are charged to do.

 Secondly, we are charged to compute to the economic development of the state. And we would look, I would insist that our university continue to look for outside sources of revenue such as federal grants, sponsored research, private dollars through the endowment and we're currently in a capital campaign to increase unrestricted scholarships to students. So we look and will continue to look for diverse streams of funding that will help us address the tuition issue. It is my full desire to work in concert with the legislature to keep tuition at the very bare minimum increase. We have had larger increases in the past and I don't foresee that happening in the future.

CHAIRMAN KNOTTS: Senator Alexander?

SENATOR ALEXANDER: Mr. Chairman, thank you. Two things. One, we'd like to mention that I think there has been a life appointment to a lady that would become a member of the board next year. So I would like to have that into the record to go along.

MS. MCABEE: Thank you. I wanted to mention that also.

CHAIRMAN KNOTTS: And Senator Alexander, I'd like to add to it that she's from my district. It's Kim Wilkerson.

SENATOR ALEXANDER: Thank you, sir. I appreciate you saying that.

CHAIRMAN KNOTTS: Mayor Avery -- I mean the administrative law judge, Avery Wilkerson's wife. She's president of Bank of America. Very good person.

SENATOR ALEXANDER: I did want to follow up on the -- excuse me, Mr. Chairman -- on the question. I hear you say that you understand the state is in dire financial situation this year. Did you feel that the state was in dire financial need last year? And did the university go above the higher education index on the tuition increase or are they under the index?

MS. MCABEE: I believe that we were a partial percentage point above HEPI according to the previous years where state legislation has held Clemson to the higher education pricing index, the HEPI level plus $250. And if I may check my math with my colleagues that are sitting with me to make sure that I am accurate. Right. HEPI was 3.66 and our tuition increase last year was 4.5 percent.

SENATOR ALEXANDER: You all felt that the other was necessary to keep additional cuts or?

MS. MCABEE: Yes, sir. Senator Alexander, Clemson University looks at tuition as the revenue stream of last resort. All other revenue streams including perhaps the most important stream, and that is from internal re-allocations of funds and re-allocations of positions and not filling some positions, closing programs that are no longer relevant in the university. Internal re-allocations and internal disposition of expenses are first looked to, to bring revenue or to not spend as much. And after that very intense exercise takes place, and after income from the endowment, and income from federal sources and grants, and sponsored research and those other areas, athletic revenue and scholarships, then we look at what is it that we must do next year. And we understand that we must teach certain courses. That we choose to maintain a level of quality and hope to increase the level of quality and look at what that costs. And when we look at those two numbers, we begin to then factor in what would student tuition have to be, because that is the only other variable. Yes, sir, we did believe last year that our bottom line increase was 4.5 percent.

SENATOR ALEXANDER: Thank you, Ms. McAbee.

REPRESENTATIVE WHITMIRE: Mr. Chairman, excuse me? How do you feel about the bridge program?

MS. MCABEE: I feel wonderful about the bridge program. The bridge program has opened many, many opportunities for students in South Carolina. Ninety percent of the students that go through the bridge program are South Carolina residents. And they are South Carolina residents that are not likely to be -- or not accepted in their freshman year to Clemson based primarily on grades. So they have the opportunity to go to Greenville, excuse me, Tri-County Tech and take the first year of courses which then transfer automatically into Clemson, should the student want to do that.

 It is also allowed us to admit 400 more students to Clemson than we would have the capacity for on campus. We have that additional 400 capacity without having to build new capital investments. So and we have also just graduated our first cohort of bridge students. And I believe 30 percent of that cohort graduated in three and a half years. And their GPA is -- as a cohort -- is higher than the entering freshman.

REPRESENTATIVE WHITMIRE: I'm very interested in it because my middle daughter who went to Winthrop, not Clemson, she did not test well, but she's a very hard working student. To me, this seems to be an avenue for students like that, that would be successful if given the chance. So I agree with you.

MS. MCABEE: It's been a very successful program.

REPRESENTATIVE WHITMIRE: And this also will raise that 65 percent that's basically South Carolina students admitted into Clemson, that's going to raise that to a higher level.

MS. MCABEE: We would hope that it would do that. That number is maintained at a fairly steady level year after year.

REPRESENTATIVE WHITMIRE: Do you see this expanding or do you want to keep this on the same level?

MS. MCABEE: Right now, it is at about capacity because of the capacity of Tri-County Tech. And we've considered taking this into other areas of the state through other technical colleges, but there is a strong value in the proximity that Tri-County Tech has to Clemson campus, because students are able to use the fitness center, the other -- the library and the other auxiliary amenities on campus that help them in their classes.

REPRESENTATIVE WHITMIRE: I would feel they would feel part of the Clemson family.

MS. MCABEE: They find that Clemson experience their freshman year, that being further away would hamper that; it wouldn't impede it, but it would hamper it so.

REPRESENTATIVE WHITMIRE: I'm glad to hear you support it. Thank you.

CHAIRMAN KNOTTS: Any other questions?

SENATOR PEELER: Mr. Chairman, I want to follow up on a question from Senator Alexander. Senator Alexander, Senator McGill and I serve on the Senate Finance Committee. The days escape me, but it just seems to me like, I don't know whether it was last year or year before last, Chairman Leatherman, I think, talked with college presidents -- maybe it was the chairman of the board of these universities and asked them --

SENATOR ALEXANDER: And they sent them a letter also.

SENATOR PEELER: Right. They'd sent them a letter also, about our budget situation. And it wasn't too long after that, that I think the Clemson board voted to raise tuition higher than that level. Now is my memory serving me correctly? And I'm going to ask each incumbent this, so I'm not just picking on you. You're the first one. Do you know what I'm talking about?

MS. MCABEE: Yes, sir.

SENATOR PEELER: Can you answer that for me?

MS. MCABEE: Yes, sir. Senator Peeler, last year, the board of trustees received a letter from Senator Leatherman. And in that letter he explained his position of asking the board to maintain tuition at a particular increase. As I described before, the budget process that we go through took us to a number that we believe was the bottom line number to allow Clemson to continue in the direction that we are going after many, many internal cuts. And we -- various people met with Senator Leatherman to give him an explanation for our final determination.

 And it was after the legislature had adjourned, so we were not able to just, I guess, I was not in that meeting, so I don't know if Senator Leatherman received a request to convene the committee so that the entire committee could hear that discussion. But I do know that it was something that -- that letter was something that our board considered as a group. Each one of us received a copy of it. We had great concern that Senator Leatherman had issued that statement to us and took it very, very seriously. However, at the end of the day, we felt it was prudent for us to operate the university based on what we had learned in a year of budget work. I hope that answered your question.

SENATOR PEELER: I don't want to belabor the point in asking for fuss fight, but you being an incumbent, I think Mr. Chairman, that the incumbent trustees ought to have just a minute or two to respond to some of the allegation leveled on the university previously. Or maybe they just want to leave well enough alone. I don't know. But I just don't want to belabor the point. I guess I ask of you: Would you like to respond or just not?

MS. MCABEE: Thank you. I would like to not bring any more attention to the points that were made or the speaker that made those points, but I would like to make a couple of points about Clemson that I believe very strongly in that may give you a different point of view?

CHAIRMAN KNOTTS: Do you agree with what he said or disagree with what he said?

MS. MCABEE: I strongly disagree with what he said. One of the primary points that I would like to bring to you that came to my mind after I prepared my remarks today are that the relationship between the faculty and the board of trustees is reported to us through the faculty senate president. And it is as recent as last week that we received a report that the relationship between the faculty and the board is as strong as it has ever been. And I believe the reason for that is that the Clemson board of trustees has been very deliberate in developing that relationship. And we have done that in very deliberate ways.

 One way is that about 12 years ago, the board of trustees decided that if we could develop more one on one relationships with faculty members by honoring those faculty members who have received awards in previous years. So each year, we host a dinner and invite all faculty members who have received some type of award for a grant proposal or from a various professional association or from the university itself. And we present those awards. The chairman of the board and the president present those awards individually to those faculty members. The board of trustees members hosts various tables and we have the opportunity at that time to talk with them very openly and very candidly about anything that is on their minds.

 So we're able to talk with faculty in a very open, unencumbered evening dinner setting. And that has been very productive in having us hear from faculty and having them hear from us. We also are invited by the faculty senate to an event that they host once a year. And it's a very casual event, usually held out by the lake. And we have about an hour before dinner where we mingle with faculty members.

 We don't know who is going to be there. They know we're going to be there. But we just have casual conversation among ourselves and are open and interested in hearing whatever they have to bring to us. Sometimes we hear concerns and we take those concerns back. As a board, we address those.

 We also have allowed the faculty to appoint a representative from the faculty to represent them at all board functions. So that faculty representative attends boards meetings and makes a report to the board about faculty concerns or moral or anything that she or he might want to bring. The faulty senate president also makes a report at each of our board meetings. So we make formal opportunities for interaction and discussion. We make informal opportunities.

 And we also respect and honor the work of the faculty. I think that's one of the things that I heard earlier that gave me very much concern. We highly respect the faculty at Clemson University and believe that our end product, which is a quality graduate who is able to get a good job and be a successful individual in the future, starts with the faculty.

CHAIRMAN KNOTTS: Any other questions?

MS. MCABEE: Mr. Chairman?

CHAIRMAN KNOTTS: Yes, ma'am?

MS. MCABEE: If I might make just a comment regarding my service. I'd like to share that with you because I know many of you have elected me in the past. And I'd like to share what I've done since -- not over the last 17 years, but just a short statement.

CHAIRMAN KNOTTS: Yes, ma'am.

MS. MCABEE: Thank you.

SENATOR PEELER: Since you didn't pay any attention to Senator Leatherman's letter, maybe you pay attention to what Senator Leatherman likes to say. Once you make your sale, close your briefcase and go home.

MS. MCABEE: Thank you, Senator.

SENATOR PEELER: You're welcome. You'll have plenty opportunity between now and election to make a --

MS. MCABEE: Thank you.

CHAIRMAN KNOTTS: Senator Peeler.

SENATOR PEELER: If there are no more questions or comments, I move for favorable report on the candidate.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: Any discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: All in favor, be no discussion, all in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Our vote will be unanimous. Okay. Thank you, Ms. McAbee. This is the one, Mr. John Nicky McCarter is an incumbent.

**Mr. John Nicky McCarter**

MR. MCCARTER: Thank you, Mr. Chairman and the committee. And I'd also like to thank the General Assembly for electing me 20 months ago.

CHAIRMAN KNOTTS: Okay. Mr. McCarter.

MR. MCCARTER: Yes, sir.

CHAIRMAN KNOTTS: Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. MCCARTER: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. MCCARTER: Yes, sir.

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

MR. MCCARTER: No, sir.

CHAIRMAN KNOTTS: If a conflict of interest should occur, what would be your position?

MR. MCCARTER: I would notify the board and I would recuse myself from any discussion or vote on that issue.

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

MR. MCCARTER: No, sir.

CHAIRMAN KNOTTS: Okay. Mr. McCarter, you want to give us a brief statement of why you want to continue serving on the Clemson board?

MR. MCCARTER: Okay. Well like I said, I was elected 20 months ago and I would like to continue to serve. I think I've demonstrated to the General Assembly that I've been available and accessible over the last 20 months. I think we're in a time that we need leadership, especially in economic growth development and continuing our education. I think we have some exciting things going on at our new energy project in Charleston and in Greenville.

 I think we've demonstrated this year, we've accepted more South Carolina students ever in the history of Clemson, which I think is a big statement. I know there's a lot of scrutiny over not accepting students. And we continue to try to strive, you know, to accept more. Our bridge program -- I think Representative Whitmire asked about the bridge program I think it is working. I have a daughter that's a sophomore now that went through bridge program.

 I'm happy for that. She's doing, you know, well. She didn't test well either, so I certainly can recommend the bridge program to this university. I'd also like to say my daughter is getting a quality education. And I think the General Assembly does a great job in picking and managing our institutions of higher education throughout this state. But I would like to continue to serve and if you have any questions, I'll certainly take them.

CHAIRMAN KNOTTS: Any members of the board? Ms. Brady.

VICE CHAIRMAN BRADY: This is the question I ask all incumbents. What is your position on tuition increase and specifically in reference to the letter that Senator Leatherman sent last year with -- what position did you take regarding tuition increase?

MR. MCCARTER: I voted against tuition this past June. I would not want to minimize or -- I want to keep quality education at Clemson, so I certainly, you know, want to do what's right to keep our quality of education, but I did vote against it. Last year, it was me, you know, after the end of the day. The board voted, and of course, the board is unanimous; it's not divided.

 But for me, I felt like, you know, economic times and the background I came from and the people that I work in the rural areas just couldn't afford any kind of increase. And that's why I did it. But I'm not -- I've never disagreed with the board, I mean, I'm not going to divide the board, but that was my position and I'm going to live by it that I voted against an increase. I felt like it was the right thing to do.

CHAIRMAN KNOTTS: Senator Alexander?

SENATOR ALEXANDER: Thank you. Mr. McCarter, do you know how many institutions in the state voted to go above what we outlined as the HEPI index last year?

MR. MCCARTER: I'm not sure, but three maybe? Is that? I don't really know.

SENATOR ALEXANDER: Well obviously Clemson was one of those three.

MR. MCCARTER: Clemson was one of the three, maybe, I could actually answer you --

SENATOR ALEXANDER: That's fine. I'll get staff to get that information.

MR. MCCARTER: I'm not sure. I think maybe three. In other words, the 366 you're speaking of --

SENATOR ALEXANDER: Yes.

MR. MCCARTER: Is that correct?

SENATOR ALEXANDER: Exactly.

MR. MCCARTER: I think that's accurate. But don't hold me to it exactly.

SENATOR ALEXANDER: I see here it is public record that you were alumnus back in 1980?

MR. MCCARTER: Yes, sir.

SENATOR ALEXANDER: Do you think you got a quality education at Clemson University in 1980?

MR. MCCARTER: I got an exceptional education. And probably more than I deserved coming from a little town I grew up in. And I'm proud of Clemson and it's a wonderful institution.

SENATOR ALEXANDER: You have a daughter that -- I think you commented is a sophomore at Clemson now?

MR. MCCARTER: Yes, sir.

SENATOR ALEXANDER: I assume you're helping pay to some extent her education?

MR. MCCARTER: Yes, sir. She -- I paid a hundred percent last year. Like I said, she went through the bridge program. And Representative Whitmire, she did get the $5,000 life scholarship. Obviously, she wouldn't have gotten that out of high school. She didn't test well so I'm not sure what will happen. We have another semester to go, so I'm hoping I'll get it, but if I don't, I'm going to pay the difference.

SENATOR ALEXANDER: Do you feel like your money's been well spent and that she's getting quality education under the current administration and the board at Clemson University?

MR. MCCARTER: She's getting an excellent education. I might add, there's so many avenues at Clemson for any student not to fail, to be successful. They have just -- Patti is -- Ms. McAbee can probably answer all of them, but and I mean that as a compliment to Patti, but my daughter had three different avenues she could get a tutor and special help, bridge program, regular university and, you know, another source at the library, so it's academic. So she, there's really no reason for a student not to be successful if they want to be.

SENATOR ALEXANDER: One final question, Mr. Chairman, if I could? Is there -- are you aware of communication that, I understand from the past testimony that you have interaction from the senate president and things of that nature of the university -- that you have other communication that you receive from different professors or different folk on the staff at Clemson that have expressed concerns to y'all individually? I mean, has there been a tremendous amount of communication that's concerned about the direction of Clemson University and shared by the faculty at Clemson?

MR. MCCARTER: In my 20 months, Senator Alexander, I've had no professor or faculty contact me.

SENATOR ALEXANDER: Okay. Thank you, sir.

MR. MCCARTER: And I think I've been -- I know I've been accessible to y'all. I think everybody at the table could tell, could say, vouch for that, so.

CHAIRMAN KNOTTS: Representative Mack.

REPRESENTATIVE MACK: Thank you, Mr. Chairman. Mr. McCarter, I just had a comment that I think that would help if you stayed up there a little bit more and got to know people.

MR. MCCARTER: Thank you, Representative Mack.

REPRESENTATIVE MACK: You've been one of the great ones that, you know, that you hear the term, and we get it sometimes as elected officials, "We don't see you until election time." And you've made yourself available. You've made yourself known and I wanted to expand my comments to, I guess, the negative part of the day that we've heard concerning Clemson. And just to say that you and so many people like you from the Clemson community represent the enthusiasm and passion and love for the school. Sure, there is going to be problems; we know that. But I have probably, when somebody made a whole dialogue with what I call the three C's, criticize, complain, and condemn. You know, we'll work through the problems. We have challenging times, but I just want to say I appreciate your enthusiasm, passion, love for the school and it is contagious. And let me just say for the record, there are two schools in the state that everybody that goes to love whether they're black, white, whether they're urban/rural setting, regardless of economic status. Those two schools happen to be from my simple study, Clemson and Winthrop. So we hear nothing but good things about you guys.

MR. MCCARTER: Thank you, Representative Mack.

CHAIRMAN KNOTTS: Any other member have any questions? Senator Peeler, go ahead.

SENATOR PEELER: Thank you, Mr. Chairman. I just wanted to give from all these comments a minute or two to respond, but I think your answers, contentiously you've already responded. So, I guess, unless there's any other question --

CHAIRMAN KNOTTS: I've got a question for him. Nicky, do you -- the other day, I was in contact with you. And we had a discussion on, I believe, it was some type of per diem that you all contribute back to the --

MR. MCCARTER: I don't think that was me, but I -- we do not take any per diem. Our board has nothing -- we don't. I have to get an answer here of how long, but we do not take per diem mileage or anything. And I answer to -- does that money get turned back into funds or do we --

MS. MCABEE: It's never allocated because we don't take it.

MR. MCCARTER: It's never been allocated, but I don't know any about these other boards, but Clemson Board of Trustees are not taking--

CHAIRMAN KNOTTS: That's what it was. Y'all did not take per diem for travel like some of the universities. That's what it was.

MS. MCCABE: That's been a practice for 25 years.

CHAIRMAN KNOTTS: Yes. Okay.

SENATOR PEELER: Chairman, I move a favorable report on the candidate.

VICE CHAIRMAN BRADY: I'll second.

CHAIRMAN KNOTTS: We have a nomination and numerous seconds. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Thank you for your service.

SENATOR PEELER: Mr. Chairman, while the next candidate's coming up, I have a question that Mr. McCarter today reminded me that the date of election that you mentioned on that voting that there was a vacancy because of a life trustee. The dates of these candidates -- when will their election be held with -- would it be up to us to change the times?

CHAIRMAN KNOTTS: We would have to change the time proposed at a later time during the meeting.

SENATOR PEELER: Okay.

CHAIRMAN KNOTTS: That date and we're going to screen the next vacancy for the unexpired term with Mr. Bill Smith to the -- work it in with the future election of the General Assembly to keep the confusion down like we did last time.

SENATOR PEELER: Well this group, they'll make -- their date will be moved up to an earlier date or did --

CHAIRMAN KNOTTS: Yes, sir. That's going to be a motion or discussion about the committee and at this time, you know, be at a later time.

SENATOR PEELER: Okay. Thank you.

CHAIRMAN KNOTTS: We'll do that before the day's over.

SENATOR PEELER: Thank you.

CHAIRMAN KNOTTS: The next candidate would be Allan Sloan, Mr. Allan Sloan.

**Mr. Allan Sloan**

Mr. Sloan, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. SLOAN: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. SLOAN: Yes, sir.

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

MR. SLOAN: No, sir.

CHAIRMAN KNOTTS: If one should arise, what would be your position?

MR. SLOAN: Recuse myself of all matters concerning the issue.

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

MR. SLOAN: No, sir.

CHAIRMAN KNOTTS: Thank you, Mr. Sloan. If you would, briefly state why you would like to serve and what your feeling is about Clemson?

MR. SLOAN: I think it's a combination of my love and passion for Clemson and my financial and management experience, background, and oversight. My grandfather lived at the foot of Sloan Street. And my father was raised there. And the earliest thing I can remember is visiting Clemson as a small child. I spent many nights there.

I graduated from Wood Creek High School in Mount Pleasant, went on to Clemson and graduated with high honors. And completed a MBA program at Harvard University. After serving two years in the military, went to work for Owens Corning Fiberglass.

In 1978, I went to work for Michelin. There I -- after production planning manager for the largest tire plant in North America, became the benefits manager and implemented the 401K plan for Michelin worldwide, mostly in the United States. I completed the requirements for certified financial planner and maintained that designation until my retirement in 2001. I maintained the service status in the U.S. Army Reserve and also had financial experience both in the Charlotte 108th Division and later in 120th Arcom at Fort Jackson. I'd like to add the final sentence to my proposed statement. That I now serve on the board of directors of the Clemson Corps and on the steering committee of the class of 1960.

CHAIRMAN KNOTTS: Okay. Any members of the -- Representative Brady.

VICE CHAIRMAN BRADY: Mr. Sloan, if you were actively elected to the board, what is your position on tuition increases?

MR. SLOAN: Well I think tuition increases is the final piece of the puzzle. I think you have to assess all the income, all the cuts you could make and the cost. And if it were necessary and justified, then you would have to increase tuition.

CHAIRMAN KNOTTS: Any other questions for the candidate?

SENATOR PEELER: Mr. Chairman, I just have a comment. Mr. Sloan as you heard earlier, I'm a graduate of Clemson and while at Clemson I had quite a reputation, and we won't go into that. But one of the groups that I just didn't mess with was the PR. I heard you, but you guys are crazy. And y'all be out practicing out on the quad when it's raining and sunshine, and I just saw that you were a member of the Persian Rifles, a great group. And if there's no other comments or questions, I move to favorable report.

CHAIRMAN KNOTTS: I've got one question. Mr. Sloan, I had a good friend of mine that I grew up with that went to school with me named Allen Sloan who later became Sheriff of Lexington County. Are you any relation to him?

MR. SLOAN: I don't believe I am.

CHAIRMAN KNOTTS: Okay.

MR. SLOAN: I've never been arrested by him either.

CHAIRMAN KNOTTS: We'd know it if you had. Any other questions?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Do I have a motion?

SENATOR PEELER: Move for favorable report on the candidate.

CHAIRMAN KNOTTS: I have a motion.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: Any discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Be no discussion, all in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Thank you, Mr. Sloan. Thank you for your interests in serving. Next would be Mr. Joseph Swann. Mr. Swann, please come forward.

**Mr. Joseph D. Swann**

MR. SWANN: Thank you, Mr. Chairman, members of the committee.

CHAIRMAN KNOTTS: Mr. Swann, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. SWANN: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. SWANN: Yes, sir.

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

MR. SWANN: No, sir.

CHAIRMAN KNOTTS: If such a conflict should occur, what would be your position?

MR. SWANN: I'd notify the board and recuse myself from any discussion or vote.

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

MR. SWANN: No, sir.

CHAIRMAN KNOTTS: The information to the committee is that Mr. Swann has previously been serving on the board.

MR. SWANN: I think I provided some written testimony for you, but there are two or three points I'd like to emphasize if I might do that. One, I'd like to thank you for the support for the vital Palmetto Scholarships. Those scholarships have allowed Clemson to increase the number of brightest South Carolina students that are attending Clemson. We're very proud of the fact that of the freshman South Carolinians that are going to Clemson, not a single one had to pay full tuition because they all benefitted from one of those scholarships. And I think it's a big complement for you and to this state that you're providing these students an opportunity to get support in doing that.

I'd also like to comment on the bridge program. The bridge program has grown from about 150 students to, I think, it's 500 this year 450 or 500. The majority of those students are South Carolina students or legacies. And as Ms. McAbee said, they are graduating exactly with the same kinds of results that our students that are admitted to Clemson are graduating. There were five that graduated in December that were there in Clemson for 2 and a half years, 3 and a half total education.

So we're very proud of the bridge program. And also proud of the fact that out of this years bridge class, more than 360 additional South Carolinians will be able to be admitted as sophomores if the percentages hold next year. So we're very proud of that. I'd just like to tell you that I very much appreciate serving on the board of Clemson. My attendance has been good.

 I attend all of the committee and board meetings and often serve on various other -- serve Clemson in various other ways. I'd be happy to answer any questions.

CHAIRMAN KNOTTS: Thank you, Mr. Swann. Does any member -- Representative Brady.

VICE CHAIRMAN BRADY: Thank you, Mr. Chairman. As a member of the board, what has been your position or your voting record on tuition increases and what would be your position moving forward?

MR. SWANN: Thank you, Ms. Brady. My position is and has been that we should do everything possible to minimize or hold tuition increases down. Last year, we took a number of steps. And I think you know of those, but there were 450 positions that were eliminated. We stopped the construction of two capital projects. We examined a number of classes and eliminated those classes because of the interest in those particular courses was low. And everyone at Clemson did a five-day furlough. After looking at all of that information and seeing the activities and actions the administration had prepared, we did vote to go at 4.5 percent tuition increase. But please rest assured it was a very serious concern for all of us.

CHAIRMAN KNOTTS: Any other members have a question?

MR. SLOAN: I'm afraid I might not have answered your question that you asked me what would I do this year?

VICE CHAIRMAN BRADY: Moving forward.

MR. SLOAN: I believe that the facts prove that the depression was caused by tax increases during a recession. And I know that just as you all are concerned about our situation with the budget, that we are as well. And I believe that a large tuition increase at Clemson would be no different than a tax increase through the parents of the students that go there. So I'll do everything that I can do to encourage the board to follow the tuition increases as low as possible.

CHAIRMAN KNOTTS: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. Chairman. Could you just speak briefly to your thoughts on the direction of Clemson? I've heard about the business model and things from that standpoint. Do you think that as far as the university running like a business and I think to some extent certainly it does have those characteristics, I mean, it does generate a lot of money and use a lot of money. Does the future of Clemson -- have you supported the direction and do you support the direction that Clemson is going? And do you think that the students are getting a quality value education at Clemson University?

MR. SLOAN: Thank you, Senator Alexander. Certainly, I do believe that Clemson is moving in the right direction. As we set our targets for top 20, it was only because to achieve top 20 status meant doing the things that students need as they prepare themselves for both professional and a personal career. And I was very supportive of that. I still believe we're moving in the right direction.

I see that we are emphasizing. We emphasize by eight areas. We knew that we did not have the resources to be excellent in every area, but we've chosen eight emphasis areas and we've tried to fund those with, excuse me, with faculty members that are outstanding in their field that bring a lot of research dollars with them, and that also allow students to not just learn what's in a book, but learn what's being created in the real world from research.

And so, I believe we're not only providing a great education, but that, that opportunity is improving.

CHAIRMAN KNOTTS: Any other members have a question?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Thank you, Mr. Sloan.

MR. SLOAN: Thank you.

CHAIRMAN KNOTTS: Do we have a motion?

SENATOR PEELER: No questions coming. Move for favorable report on the candidate.

SENATOR MCGILL: Second.

CHAIRMAN KNOTTS: Okay. We have a motion by favorable report on the candidate and a second. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

MR. SLOAN: Thank you.

CHAIRMAN KNOTTS: It will be unanimous. Mr. John Warner.

**Mr. John Warner**

Mr. Warner, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. WARNER: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. WARNER: Yes, sir.

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

MR. WARNER: No, sir.

CHAIRMAN KNOTTS: If such a conflict should arise, what would be your position?

MR. WARNER: I'd notify the board and recuse myself of any participation.

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

MR. WARNER: I do serve on the board at South Carolina Venture Capital Authority. I'm not sure if that would be a conflict with what you're describing?

CHAIRMAN KNOTTS: If it's determined a conflict, would you be willing to resign from that board?

MR. WARNER: Yes, sir.

CHAIRMAN KNOTTS: If you would, Mr. Warner, please give us a brief statement of why you want to serve on the board or anything that you feel would be in your benefit or on your behalf to give to this committee.

MR. WARNER: Thank you, sir. I appreciate the opportunity to speak with you and with the committee. And thank you for your service to the state as well. I have been involved with Clemson my entire life. My parents were married students when I was born, so I was born in Anderson Hospital, but they were students at Clemson.

I graduated from Clemson. I have two children at Clemson. My daughter is a senior; my son is a freshman. Both of them benefit from a life scholarship. So thank the legislature for that. I, too, am very concerned about tuition. I agree that tuition is a revenue of last resort. And that we should, it should be the last thing that's raised in trying to maintain the educational quality of the university. I have taught at Clemson. Occasionally I teach an MBA class in start-up technology companies. I've taught on campus at Clemson as well as at the University Center in Greenville. And it's been a wonderful experience. I know lots of faculty members at Clemson. I run a company called InnoVenture. And we help large companies like Michelin, Milliken, Sonoco do -- make connections with universities and entrepreneurial companies to create a more knowledge-based economy. And I would like to make an observation on some of the frustration we heard earlier. I believe that one of the things we're seeing is Clemson is going through a transition. It is going from a university -- the type of university that it used to be to a top tier research university. And there are faculty members that are concerned about how that transition is being made. I think there are other faculty members that I know and are personal friends with that are passionately on board with the direction the university is going. But I've been involved in a number of different organizations that have gone through transformational change. I was with Kemet for five years as a vice president of strategy there. Same phenomenon occurred there where we had to change and there were slight consternation and lot of concern. So I think there is, you know, there are faculty members that are justifiably concerned about making sure that university is heading in the right direction. I wholeheartedly support President Barker and the Top 20 goal. I have been involved in committees that select deans. I've been involved in committees that build buildings. I've served on the advisory boards of the college of business and behavioral science. I'm involved in most knowledge-based economic development organizations in the state in one way or another. What was impressive to me about Dr. Barker's vision was I've not been involved in a conversation where, how to help Clemson become a Top 20 university didn't get -- become a part of the discussion. And that's been true on campus. And it's also importantly been true, for example, in meetings in Greenville. When there was nobody Clemson in the room. You know, how do we support Clemson and help them be successful. So it's more than a magazine rating. I think it has tapped into an aspiration of a lot of people in the Clemson community for how we get to a higher level. And my primary interest in wanting to be a trustee is I think we have an incredible opportunity in this state. I think the legislature has led in not only the Palmetto and life scholarships, but the endowed chair research program that has brought preeminent scholars into the state. The University Infrastructure Act, the South Carolina Venture Capital Act.

Many things that you've done, the Industry Partners Act and the South Carolina Research Authority. Many things that you've done to lead the way, actually. I think one of the things that we need to do is get some of the business community to sit down, get engaged and take advantage of some of the initiatives and some of the programs that you've put in place. And I have lots of contacts and experience in that throughout the state. We want the opportunity as a trustee to help Clemson continue to get to the next level.

CHAIRMAN KNOTTS: Any members of the committee? Senator from Gaffney.

SENATOR PEELER: If there's no other questions or comments, I move a favorable report on the candidate.

CHAIRMAN KNOTTS: I have a motion.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: We have a motion and several seconds. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

MR. SLOAN: Thank you.

CHAIRMAN KNOTTS: Let the record it be unanimous.

SENATOR PEELER: Mr. Chairman, I think that finishes the candidates for Clemson University. Before we settle on this section, I'd like to take a 2 or 3- minute bathroom break and I'd like to speak with you just a minute.

CHAIRMAN KNOTTS: Okay.

SENATOR MCGILL: Mr. Chairman, before we adjourn, Allen Wood is here a former trustee of Clemson University and The Citadel. He is present today.

CHAIRMAN KNOTTS: Are there any members of the board or committee who would like to hear from him for any information? All right. I just want to make sure I'm doing what the committee has asked. Thank you. We're going to take a 5-minute break.

 (Off the record.)

CHAIRMAN KNOTTS: Your attention, please. I want to call the committee back to order at this time. Could everyone have a seat, please? At this time, Mr. Bednar, would you come to the podium?

SENATOR PEELER: Mr. Chairman, I think we move -- I think we carry this one over --

CHAIRMAN KNOTTS: We carry this over and at this time, does anyone have any discussion that's necessary or any motions that necessary?

REPRESENTATIVE LITTLEJOHN: Mr. Chairman, I reiterate what I said a while ago. You know, we get all kind of remarks from candidates, good, bad, positive, likewise, green, whatever. But I find no reason to disqualify Mr. Bednar from being screened positively and I make that as a motion.

CHAIRMAN KNOTTS: Would you let anybody else say --

REPRESENTATIVE LITTLEJOHN: Absolutely. Yes, sir.

CHAIRMAN KNOTTS: Anybody else? I'd like to say this, lot of things were said, but that's your right to say it. And therefore, I don't find any -- unlike Representative Littlejohn, I don't find any reason to disqualify you because of your beliefs. And agree with Representative Littlejohn.

CHAIRMAN KNOTTS: Okay. We have a motion --

SENATOR ALEXANDER: Second.

CHAIRMAN KNOTTS: -- and a second to find Mr. Bednar qualified.

MR. BEDNAR: Thank you very much, Mr. Chairman.

CHAIRMAN KNOTTS: Hold on we have to vote on this. We find him qualified?

REPRESENTATIVE LITTLEJOHN: Yes, sir.

CHAIRMAN KNOTTS: Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Let it be unanimous. At this point in time, thank you Mr. Bednar, for your willingness to serve.

MR. BEDNAR: Thank you very much and thank you for accomplishing what we try to teach at Clemson. Thank you.

CHAIRMAN KNOTTS: Okay. The next board to be screened is College of Charleston, Mr. John Busch. Mr. Busch if you would answer the following questions.

Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

**Mr. John Busch**

MR. BUSCH: No, Senator, I do not.

CHAIRMAN KNOTTS: Sir?

MR. BUSCH: No, Senator, I do not.

CHAIRMAN KNOTTS: Okay. Cut your microphone on. There you go. Okay. You say, "No"?

MR. BUSCH: No, Senator, I do not.

CHAIRMAN KNOTTS: Okay. Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. BUSCH: Yes, Senator.

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

MR. BUSCH: No, Senator.

CHAIRMAN KNOTTS: If such a conflict should occur, what would be your position?

MR. BUSCH: I would recuse myself and not vote.

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

MR. BUSCH: No, Senator.

CHAIRMAN KNOTTS: Okay. If you would briefly state why you want to serve on the College of Charleston?

MR. BUSCH: Senator, I currently serve in my first 4-year term on the board of trustees for the college. I have attended all meetings and served on the finance committee, athletic affairs, and the Ad Hoc Committee on Information Technology. I'm an 1985 graduate of the College of Charleston. I grew up in Charleston. I have lived in Lexington for the past 18 years.

 The College of Charleston, I served as president of the student body. Upon graduation, I have served on alumni affairs and now the board of trustees. As a member of the board of trustees, I want to assure you that if reelected, I will continue to be an advocate of equal access for all South Carolinians in higher education. And I will continue to be a strong advocate of keeping tuition costs for in-state students as low as possible and enrollment for in-state students as high as possible. The experience I bring to the College of Charleston draws upon 22 years of service in the military.

 I flew F-16s out of McIntyre Guard Base. I served as a Commander of the 169 OSF and Lieutenant Colonel out at McIntyre. I'm a graduate of the United States Air Force War College in 2005 with a Masters of Peace Studies. I also graduated Carolina with a MBA in International Business. I've served and been deployed numerous times to the middle east, immediately after 9/11 to fly missions in Afghanistan and then again in 2003 for major combat operations in Iraq.

 I have enjoyed my time at the College of Charleston and participating in a school that I feel very passionately about. I love the College of Charleston. And enjoy the opportunity to serve there and to help improve things.

CHAIRMAN KNOTTS: Any questions from the committee? Representative Brady.

VICE CHAIRMAN BRADY: Yes. I'd like to know your position on tuition increases and how you have voted during your time on the board?

MR. BUSCH: I have voted before -- reluctantly voted for tuition increases when it seemed like that was the last resort. I feel very strongly that we should keep in-state tuition as low as possible. And that we should first look to increase our endowment. We should look for research funding or grant funding. We should look for other sources of revenue before we raise tuition. And so I will reluctantly vote in favor of it if it is a last resort. And given the financial strength of the college, we have no other choice unless we have to. I opposed raising tuition for in-state students.

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

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Have no questions. Do I have a motion?

REPRESENTATIVE LITTLEJOHN: So moved.

SENATOR PEELER: Second.

CHAIRMAN KNOTTS: There any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

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

MR. BUSCH: Thank you, sir.

CHAIRMAN KNOTTS: Okay. The next is Mr. Gerald Killeen

**Mr. Gerald Killeen**.

Mr. Killeen, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. KILLEEN: No, I do not.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, will you be able to attend board meetings on a regular basis?

MR. KILLEEN: Yes, I would.

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

MR. KILLEEN: No, I do not.

CHAIRMAN KNOTTS: Should one arise, what would be your position?

MR. KILLEEN: I would abstain.

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

MR. KILLEEN: No.

CHAIRMAN KNOTTS: Okay. Briefly state to us why you would like to serve on the board.

MR. KILLEEN: I think serving on the board would provide me with an opportunity to take my educational background and my work experience and put it into practice in that setting. I have attended a small, undergraduate school for my college degree. I went to Winona College in Rochelle, New York. And it currently has enrollment similar to the College of Charleston. I also have the opportunity to attend for Masters Degree work, Ohio University in Athens, Ohio and had the opportunity to be At a 20,000 pupil university as a student.

 I also had the opportunity to attend a large state school. I earned a Ph.D. Degree at the Ohio State University in Columbus, Ohio. I think I could combine that educational background with my work experience. I spent four years as a teacher in the early part of my career. And subsequent to that, after earning the degree in administration, I wound up moving into and spending most of my career as a public school administrator.

 I served for five years as a high school principal. I was a principal in Athens, Ohio, the home of Ohio University. And that particular school had 1,200 students. But interestingly enough, 300 of them had parents who were faculty members at Ohio University. I also served as a principal of the senior high school in Port Washington, New York.

Paul Washington is on the north shore of Long Island, about 30 miles from New York City. I'm proud to say that the high school there was selected as one of the top 400 high schools in the country. After serving in those capacities, I wound up moving into school district administration work. I served as the assistant superintendent of the Carmel Central School District in Carmel, New York. Carmel is approximately 50 miles north of New York City.

 I wound up shifting the state that I worked for and moved from New York to New Jersey. I spent 26 years as the superintendent of schools for the Black Horse Pike Regional School District in Blackwood, New Jersey. New Jersey, unlike many other states has some elementary school districts and some high school districts. I was superintendent of a high school district. We enrolled 3,900 students in three high schools.

 The district employed 500 people. I started there as superintendent in 1976 and served in that capacity until 2002. During that 26-year period, I worked with over 40 board of education members. The board of education at any one point had nine members. So I had the experience over 26-year period of reporting to a board of education.

We had committees very similar to the committees that exist at most universities. A finance committee, a personnel committee, a student affairs committee, et cetera. So I've had considerable experience in working with a broad range of people in that kind of capacity. And I think I can take my experience in that setting and work effectively as a trustee at the College of Charleston. After retiring as a public school superintendent, I moved to South Carolina.

 And I have been living on Hilton Head Island since 2002. At that time, I had the opportunity to become a adjunct professor at Nova Southeastern University. And I am currently working there in that capacity. I am a dissertation advisor. I work with students in the EDD program, Doctorate of Education program helping them to accomplish their goals.

 Students are required to submit a concept paper. They're required to submit a dissertation proposal. They're required to submit a final dissertation report. And in effect, I serve as a dissertation advisor and help students accomplish each of those three benchmarks. During the time that I was in New Jersey, I had an opportunity to serve in two different statewide organizations on their executive committees.

I served on the executive committee for the New Jersey Association of School Administrators. That group consisted mostly of school superintendents. I was on their governing board for a six year period.

CHAIRMAN KNOTTS: Mr. Killeen?

MR. KILLEEN: Yes.CHAIRMAN KNOTTS: If you would, I think you've told us a lot to make you experienced --

MR. KILLEEN: Okay.

CHAIRMAN KNOTTS: If you would --

MR. KILLEEN: See if I could summarize?

CHAIRMAN KNOTTS: Right. Yeah.

MR. KILLEEN: Yeah. Okay. No problem. I think that gave you a little overview of my educational background and work experience and how I think I could take that and make it work for me as a trustee at the College of Charleston. Thank you. Any questions?

CHAIRMAN KNOTTS: Any questions committee?

SENATOR PEELER: No questions, comments. I move favorable report on the candidate.

REPRESENTATIVE WHITMIRE: Second.

CHAIRMAN KNOTTS: We have a motion and a second. All in favor, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Thank you, Mr. Killeen.

MR. KILLEEN: Thank you very much.

CHAIRMAN KNOTTS: Okay. We have two more. Robert Nance with the South Carolina State University.

Mr. Nance, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. NANCE: No, sir. I don't.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you able to attend board meetings on a regular basis?

MR. NANCE: Yes, sir. I do.

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

MR. NANCE: No, Mr. Chairman, I do not.

CHAIRMAN KNOTTS: If such should arise, what would be your position?

MR. NANCE: I would abstain from voting on such a matter.

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

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

CHAIRMAN KNOTTS: Mr. Nance, briefly --

MR. NANCE: Yeah.

CHAIRMAN KNOTTS: -- give us the reason why you feel like you would help serve --

MR. NANCE: Yes, sir.

CHAIRMAN KNOTTS: -- South Carolina State Board.

MR. NANCE: I was elected about 20 months ago. I served an unfulfilled term. And there's still work to be done at SC State. There's a lot of work to be done and I want to be a part of doing that good work. In a nutshell, that's why I want to continue to be on the board.

CHAIRMAN KNOTTS: Any members of the board have any questions or comments?

SENATOR MCGILL: Mr. Chairman, one thing quick. Do you have a family member to work at South Carolina State University?

MR. NANCE: Yes, sir. My father was there for 37 years, 19 years as president. And my grandfather was there for 40 years as business manager.

CHAIRMAN KNOTTS: Move favorable. I have a motion and then do I have a second?

REPRESENTATIVE LITTLEJOHN: Second.

REPRESENTATIVE WHITMIRE: Second.

CHAIRMAN KNOTTS: I have a motion and a second. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: It will be recorded as a unanimous. Thank you for your willingness to serve. Okay. And the last one that we have is Mr. Charles H. Williams, the University of South Carolina, 1st Circuit.

Mr. Williams, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. WILLIAMS: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. WILLIAMS: Yes, sir.

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

MR. WILLIAMS: No, sir.

CHAIRMAN KNOTTS: If one should arise, what would be your position?

MR. WILLIAMS: I would abstain. I would abstain from voting on it.

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

MR. WILLIAMS: No, sir.

CHAIRMAN KNOTTS: Okay. Briefly explain why you wish to serve.

MR. WILLIAMS: Thank you, senator. I'd like to think I come from a family that's deeply rooted in public service. My father, late senator Marshall Williams, I'm sure many of y'all know, served in the Senate for 46 years and I believe four years in the House. My mother has planted every cherry tree and most all the trees in the city of Orangeburg and Edisto Gardens and started the Junior Service League and about everything else you could start that was charitable in Orangeburg. My wife, Karen Williams, is recently retired chief judge in 4th Circuit Court of Appeals where she served for 17 years. I, myself personally, have served on the board of trustees at South Carolina State for 22 years. I resigned two years ago and talked this young man into running for my seat. And he's done me very proud. The reason I would like to be at the university is obviously my connection with my father's undergraduate and law graduate university. I'm an undergraduate, law graduate. My wife, my four children all graduated from the University of South Carolina Law School. My daughter-in-law graduated from undergraduate school at the University of South Carolina and law school. I've always been a lifelong gamecock. I know we got these tigers going and my blood doesn't bleed orange, but Clemson's a wonderful school. I had a brother that went to Clemson. I've always wanted to be on the board. As many of y'all know Othniel Wienges was in the 1st District Circuit and he was there for 40-some years. And I certainly wasn't going to challenge him. He did an excellent job. And I saw the chance to be at South Carolina State University. Oh, and I -- your tuition. I voted probably more against it than I did for it. There were occasions that South Carolina State University during my 22 years I voted for it. And I've never met anybody on the board that wanted to raise tuition. At South Carolina State, we were always financially strapped. And that usually was the last resort to keep things going, to stay SAC approved.

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

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Do I have a motion?

SENATOR PEELER: If no question or comment, I move favorable report on the candidate.

SENATOR MCGILL: Second.

REPRESENTATIVE LITTLEJOHN: Second.

CHAIRMAN KNOTTS: I have a motion and several seconds. Any discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Be no discussion? All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Okay. Thank you for your willingness to serve and you'll be reported out favorably.

MR. WILLIAMS: Thank you. And I appreciate y'all letting me do it today because I had a conflict next week when the rest of the gamecocks will be before you.

CHAIRMAN KNOTTS: Yes, sir. Thank you. (Adjourned at 4:19 p.m.)

**COMMITTEE TO SCREEN CANDIDATES**

**FOR BOARDS OF TRUSTEES**

**OF STATE COLLEGES AND UNIVERSITIES**

Tuesday, February 23, 2010

12:08 p.m. - 12:12 p.m.

 The meeting was conducted on February 23rd, 2010 at The State House, Columbia, South Carolina, before Lisa F. Huffman, Court Reporter and Notary Public in and for the State of South Carolina.

APPEARANCES:

Senator Jake Knotts, Chairman

Representative Joan Brady, Vice Chairman

Representative Lanny Littlejohn

Also Present:

Sophia Derrick

TUESDAY, FEBRUARY 23, 2010

REPRESENTATIVE LITTLEJOHN: I'm Lanny Littlejohn, temporary chairman of the committee that screens candidates for board of trustees of state colleges and universities. Our order of business today is to swear in one candidate in an open seat, unopposed seat for Winthrop Board of Trustees. The only candidate we have is Scott Talley from Spartanburg. So Scott, do you swear to tell the truth, nothing but the truth, so help you God?

**Mr. Scott Talley**

MR. TALLEY: I do.

REPRESENTATIVE LITTLEJOHN: Mr. Talley, do you have any health related problems that this screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. TALLEY: No, sir.

REPRESENTATIVE LITTLEJOHN: Concerning your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. TALLEY: Yes, sir.

VICE-CHAIRMAN LITTLEJOHN: Do you have any interest professionally or personally that present a conflict of interest because of your service on the board?

MR. TALLEY: No, sir.

REPRESENTATIVE LITTLEJOHN: Do you know hold any public position of honor or trust that, if elected to the board, would cause you to violate the dual office holding clause of the constitution?

MR. TALLEY: No, sir.

REPRESENTATIVE LITTLEJOHN: Thank you. Okay. Do we have any questions from the committee concerning Mr. Talley?

VICE CHAIRMAN BRADY: I just have the same question I ask all the candidates. And that is your position on tuition increases?

MR. TALLEY: I'm opposed to them on a broad statement basis realizing that a lot goes into that determination. Trying to keep up with the budget deliberations and understand that on college boards and universities throughout. Now that's going to be a question that continues at least for the next couple years while I will be serving. So I don't go in saying that is the only way to address this problem. And as a blanket statement, would be opposed to raising tuition.

VICE CHAIRMAN BRADY: Thank you.

MS. DERRICK: We had to get started. We had some folks that needed to be --

CHAIRMAN KNOTTS: All right. Good.

REPRESENTATIVE LITTLEJOHN: Chairman Knotts, we decided to go ahead and start.

CHAIRMAN KNOTTS: Good. That's fine.

REPRESENTATIVE LITTLEJOHN: Scott's got to be in Greenville at 2:00. I think Lisa has to be somewhere by 2:00. So I'll be glad to turn it over --

CHAIRMAN KNOTTS: That's fine. Go ahead.

REPRESENTATIVE LITTLEJOHN: We're almost finished.

Representative Brady has asked a question about tuition. I had a comment about Winthrop, Mr. Talley. They have done a tremendous job on the tuition. They have relied on the -- they have allowed the students to vote a lot of times on tuition. How do you feel about allowing the students and the parents to participate in whether or not to raise the tuition?

MR. TALLEY: I think it's a good process. Specific to Winthrop, I know a couple of years ago -- and this may be what you're alluding to -- there was an idea that was floated as far as $50 that was meant to offset across the board tuition increase and fee increases in general. And I don't know if that's what you're alluding to or not. But I think that the dialogue that created amongst the students and the faculty and the administration was a healthy exercise.

REPRESENTATIVE LITTLEJOHN: Chairman Knotts, do you have anything to say?

CHAIRMAN KNOTTS: I don't have any concerns over Mr. Talley at all.

REPRESENTATIVE LITTLEJOHN: Okay. How does the committee feel about reporting him out favorably? All in favor?

CHAIRMAN KNOTTS: I make a motion to report him out favorably.

VICE CHAIRMAN BRADY: Second.

REPRESENTATIVE LITTLEJOHN: All in favor say, "Aye."

COMMITTEE: Aye.

REPRESENTATIVE LITTLEJOHN: All opposed? Mr. Talley, you are good to go.

MR. TALLEY: Thank you very much. (Adjourned at 12:12 p.m.)

**COMMITTEE TO SCREEN CANDIDATES**

**FOR BOARDS OF TRUSTEES**

**OF STATE COLLEGES AND UNIVERSITIES**

Thursday, February 25, 2010

2:10 p.m. - 5:16 p.m.

 The meeting was conducted on February 25, 2010 at 433 Blatt Building, Columbia, South Carolina, before Lisa F. Huffman, Court Reporter and Notary Public in and for the State of South Carolina.

APPEARANCES:

Senator Jake Knotts, Chairman

Senator Thomas Alexander

Senator Harvey Peeler, Jr.

Representative Lanny Littlejohn

Representative David Mack

Representative Bill Whitmire

Also Present: Sophia Derrick

THURSDAY, FEBRUARY 25, 2010

CHAIRMAN KNOTTS: I'm going to call this commission to order for the purpose of screening candidates for boards and commissions. This time, I'll start on my left and let each member introduce themselves and tell us where in the state they serve.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. I'm representative Bill Whitmire. I represent Oconee County District 1.

REPRESENTATIVE MACK: I'm representative David Mack, Charleston County, District 109.

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

CHAIRMAN KNOTTS: Jake Knotts, Senate District 23, Lexington County.

SENATOR ALEXANDER: Thomas Alexander. Senate District 1. All of Oconee County and Greater Clemson area, Pickens County.

SENATOR PEELER: Harvey Peeler, Senator from District 14, Cherokee County, portions of Spartanburg, Union and York Counties.

CHAIRMAN KNOTTS: Next on our agenda is new business. We have taken that up previously and we want to ask for the attorney general's opinion on that and take it up later, possibly when we get that opinion back. Swearing in of candidates. If all candidates would stand up and raise your right hand. Do each and every one of you swear to tell the truth, the whole truth, and nothing but the truth concerning the interests of the boards and the questions they ask?

CANDIDATES: I do.

CHAIRMAN KNOTTS: Thank you. The screening process will start with -- we're going to go down the list of unopposed candidates. And I want you to come to the podium. I want you to state your name, your address, where your driver's license is registered at, where you pay your four percent taxes on them, and voter registration. Everybody understand that? I'm going to let -- first is going to be the Medical University of South Carolina. And then after that, we will take up the contested races. First on the --

MS. DERRICK: Dr. Donald R. Johnson, II.

**Dr. Donald R. Johnson, II**

DR. JOHNSON: Yes, Ma'am. My name is Donald R. Johnson, II. I reside at 41 25th Avenue on Isle of Palms in South Carolina. I pay my property taxes, and my voter registration and my driver's license registered at that address. I am currently running to be elected for board seat from the Medical University, 1st District, medical seat on which I served for the past four terms.

CHAIRMAN KNOTTS: Do you pay your four percent resident taxes at that address?

DR. JOHNSON: Yes, sir. I do.

CHAIRMAN KNOTTS: Okay. Any questions from the committee?

REPRESENTATIVE WHITMIRE: No, sir.

CHAIRMAN KNOTTS: Okay. Thank you.

MS. DERRICK: Dr. Stanley C. Baker, Jr.

**Dr. Stanley C. Baker, Jr.**

DR. BAKER: I'm Stanley Baker from Greenwood. I pay my taxes in Greenwood. I reside in Greenwood at 623 Watford Avenue. My driver's license, and my taxes, and I pay my four percent taxes there. I've been on the MUSC board for 33 years and I'm running again for this term. I'll be happy to answer any questions.

CHAIRMAN KNOTTS: Mr. Baker, do you pay your four percent property taxes on that address which you listed as your residence?

DR. BAKER: Correct.

CHAIRMAN KNOTTS: Okay. Have you been screened before this committee before?

DR. BAKER: Yes, sir, I have.

CHAIRMAN KNOTTS: Are there any questions from the committee?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Okay. Thank you.

MS. DERRICK: Mr. Thomas L. Stephenson.

**Mr. Thomas L. Stephenson**

MR. STEPHENSON: Good afternoon, my name is Tom Stephenson. I serve the non-medical seat in the 4th Congressional District on the Medical University. I live in Greenville, South Carolina, in town at 24 Ben Street, where I've lived for 22 years. I pay my four percent taxes there. I vote there. I am ending my 12th year of seeking another term on this board. So I'll be glad to answer any questions you guys have.

CHAIRMAN KNOTTS: Is your driver's license and voter registration at that address?

MR. STEPHENSON: Yes, sir.

CHAIRMAN KNOTTS: Any questions from the committee?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Okay.

MS. DERRICK: Dr. James E. Wiseman, Jr.

**Dr. James E. Wiseman, Jr.**

DR. WISEMAN: My name is Jim Wiseman. I reside at 2239 State Park Road, Prosperity, South Carolina. I pay my taxes in Newberry County. I am a non-medical, 5th District representative. And I've been on the board for two terms.

CHAIRMAN KNOTTS: Do you pay your four percent property tax at the address that you --

DR. WISEMAN: I do.

CHAIRMAN KNOTTS: Any questions from any of the members?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Okay. Of those people, are there any objection to those four people? I believe all of them have been screened before this committee before. Any objection from any of the members that the ones that we just screened for the -- just came before us for the Medical University of South Carolina that are unopposed and they all have sworn today that they are residents in the area in which they applied. Do I have objection to the dismissing of the people or a motion to find them qualified?

SENATOR PEELER: Mr. Chairman, so moved. I move that the folks that without questions be found qualified and asked to --

REPRESENTATIVE MACK: Second it.

CHAIRMAN KNOTTS: I got a motion and a second. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: At this time, Mr. Donald R. Johnson, Stanely C. Baker, Thomas L. Stephenson, James E. Wiseman, you may leave. We have found you qualified.

REPRESENTATIVE LITTLEJOHN: Chairman?

CHAIRMAN KNOTTS: Yes, sir.

REPRESENTATIVE LITTLEJOHN: Point of order of that. They are not to receive any commitments or anything? Can we emphasize that?

CHAIRMAN KNOTTS: Yeah. We need to state the fact that until this commission group releases its report, for 48 hours after that report, you can seek commitments. We will notify you whenever the report is to be published, issued. Is that okay with every member? Okay. Y'all fully understand that? And that charge goes for all people here who are seeking an appointment, whether you're an incumbent or have opposition. Any questions from anybody here concerning that -- that you do not understand that, because that will disqualify you. And it is illegal to ask for a commitment, prior to being released from the screening committee. Okay. Thank you. Next, we'll take up the South Carolina State University. All of these people are opposed. So there are none who are unopposed. Next, the University of South Carolina.

MS. DERRICK: 6th Circuit, Mr. Chauncey K. "Greg" Gregory.

**Mr. Chauncey K. “Greg” Gregory**

CHAIRMAN KNOTTS: I believe we were going to withhold that one-

MS. DERRICK: Withhold that one?

CHAIRMAN KNOTTS: -- until we get the attorney general's opinion.

MS. DERRICK: Okay.

CHAIRMAN KNOTTS: Is that okay with the committee?

SENATOR PEELER: Well Mr. Chairman, we could screen the former senator at this time, can't we?

CHAIRMAN KNOTTS: Yes.

SENATOR PEELER: We could go ahead and do that while he's here.

CHAIRMAN KNOTTS: You want to do that as far as --

SENATOR PEELER: Well, let's do it before we settle on it.

CHAIRMAN KNOTTS: All right. We're going to make a advisement that there may or not be an additional candidate. Mr. Chauncey Greg Gregory.

MR. GREGORY: Hello, Mr. Chairman.

CHAIRMAN KNOTTS: How are you doing son?

MR. GREGORY: Very well. Very well. A little different to be on the other side here. I'm Chauncey Gregory. I reside at 805 Blenheim Court in Lancaster, South Carolina. And I am seeking reappointment to the 6th seat of the University of South Carolina Board of Trustees. I do live at 805 Blenheim Court and pay my four percent property taxes there. And registered to vote in the precinct in which that street is.

CHAIRMAN KNOTTS: And your driver's license and voter registration the same address that you pay your four percent property tax?

MR. GREGORY: That's correct.

CHAIRMAN KNOTTS: Gregory, I'd like to read the following questions to you and if you would answer them for me. Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. GREGORY: No.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. GREGORY: Yes.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that present a conflict of interest because of your service on that board? And if one should arise, what would be your position?

MR. GREGORY: I have no conflict. If I did have one, I would recuse myself from the board.

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

MR. GREGORY: No.

CHAIRMAN KNOTTS: Okay. Any members got any questions? Would you please state why you want to continue serving on the board?

MR. GREGORY: Yes, sir. I was appointed to the board fill the term of Mr. James Bradley, who died back in the late summer/fall. So I've enjoyed my time on the board. I'm especially interested in the regional campuses of USC. I think that USC, you know, the legislature would like to see USC educate more of its students and do it at a lower cost to them. And I think that the way that we can do that is through utilizing our regional campuses. I've lived in the shadow of one all my life. And I've seen the great job that was done for educating students for a very small amount of money at the University of Lancaster. The University of South Carolina at Lancaster where they do it for about $2,000 a year in state funds. And the university is certainly facing challenges with regard to its budget and possibly trying to educate as many native South Carolinians as the legislature would like for it to do. So that's an interest of mine. And I also feel like that I could help the university in this relationship with the General Assembly, having had been here for a number of years and just recently removed from this body.

CHAIRMAN KNOTTS: Any member of the commission have a question? And what is the pleasure of the commission?

SENATOR PEELER: Move him with a favorable report.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: Motion for a favorable report and a second. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Thank you.

MS. DERRICK: 7th Circuit, Mr. Toney J. Lister.

**Mr. Toney J. Lister**

MR. LISTER: Good afternoon, I'm Toney Lister. I live at 61 Lake Forest Drive, Spartanburg, South Carolina. I've been there some 30 years. I pay my four percent there. My driver's license shows that is my address. And my voter registration.

CHAIRMAN KNOTTS: Okay.

MS. DERRICK: He's been screened.

CHAIRMAN KNOTTS: You've been screened before, before this committee?

MR. LISTER: I have. Yes, sir. I've been on the board 16 years.

CHAIRMAN KNOTTS: And what is the pleasure of the committee?

REPRESENTATIVE LITTLEJOHN: Vote him out favorably.

CHAIRMAN KNOTTS: We have a motion to vote him out favorably.

SENATOR WHITMIRE: Second.

CHAIRMAN KNOTTS: And second. Do we have any discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: No discussion. All in favor of reporting this candidate favorably say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Let it be noted that he has been voted out favorably.

MR. LISTER: Thank you.

CHAIRMAN KNOTTS: You do understand that you cannot seek commitments until the proper time.

MR. LISTER: I do understand. Thank you. Yes, sir.

CHAIRMAN KNOTTS: Thank you.

MS. DERRICK: 9th Circuit, Mr. John C. von Lehe, Jr. And he has been screened before.

**Mr. John C. von Lehe, Jr.**

MR. VON LEHE: Mr. Chairman, good afternoon. I'm John von Lehe. I reside at 331 Bampfield Drive, Mount Pleasant, South Carolina. That is my home address. That is where I receive my four percent with residential classification. That is where my voting registration and driver's license are all specified. I wish to be a member of the University of South Carolina Board of Trustees. This would be my 4th term, should I be approved by you and this committee.

CHAIRMAN KNOTTS: Has anything changed since your last term relating to conflicts of medical reasons to prevent you from serving on the board in a full capacity?

MR. VON LEHE: It has not. It has not, Mr. Chairman. Anybody have any questions?

CHAIRMAN KNOTTS: Representative Mack.

REPRESENTATIVE MACK: Thank you, Mr. Chairman. Just a comment: I'm proud that he's a constituent of House District 109 in Charleston.

CHAIRMAN KNOTTS: Okay.

SENATOR PEELER: That means you just moved for a favorable report. Then I'll second that motion.

CHAIRMAN KNOTTS: You move for a favorable report?

REPRESENTATIVE MACK: Move to a favorable report.

CHAIRMAN KNOTTS: Move for a favorable report. All right. Representative Mack and second by Senator Peeler. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Let it be known unanimously in that. Senator Alexander, do you have his proxy?

SENATOR ALEXANDER: Yes.

CHAIRMAN KNOTTS: You understand you cannot get commitments until you're released from the committee 48 hours afterward.

MR. VON LEHE: I do understand that.

MS. DERRICK: 11th Circuit, Mr. Michael J. Mungo. I'll go check on him. All right. 12th Circuit, Dr. C. Edward Floyd. He has been screened.

**Dr. C. Edward Floyd**

DR. FLOYD: I'm Eddie Floyd. I'm from Florence. I live at 518 Rosewood Drive. I've lived there for over 40 years. I pay all my taxes, voter registration, four percent, everything in Florence. And represented our district is Florence and Marion for quite a number of years. I hope that the screening will be favorable.

CHAIRMAN KNOTTS: Dr. Floyd, you pay the four percent on the home where you're in now?

DR. FLOYD: I do.

CHAIRMAN KNOTTS: Okay. Has anything changed since your last screening as far as your medical? Any medical problems that prevent you from serving or any conflicts?

DR. FLOYD: I just do as much surgery as I used to. But other than that, I'm good.

CHAIRMAN KNOTTS: Okay. Any questions from the committee? Do I hear a motion?

SENATOR PEELER: Well on behalf of Senator McGill from Williamsburg, and I move for favorable report on Dr. Floyd.

CHAIRMAN KNOTTS: Second.

SENATOR PEELER: And then I will second it.

CHAIRMAN KNOTTS: That's a good way to do it. Okay. A favorable report has been made and properly seconded. Then all in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Thank you, Dr. Floyd. You understand that you can not seek commitments until 48 hours after the -- DR. FLOYD: I do.

CHAIRMAN KNOTTS: Thank you. Okay. The people that we have just screened and you've come to the podium, y'all have all been screened properly and reported out favorably. Does anybody have an objection to them being dismissed? Okay. That means y'all are free to leave now.

MS. DERRICK: Wil Lou Gray Opportunity School. Wil Lou Gray.

CHAIRMAN KNOTTS: Wil Lou Gray.

MS. DERRICK: Marilyn Edwards Taylor. She has been screened before.

**Ms. Marilyn Edwards Taylor**

MS. TAYLOR: Hi. I am Marilyn Edwards Taylor. I reside at 413 Aiken Hunt Circle, Columbia. I do receive my voter registration --

CHAIRMAN KNOTTS: Hold on just moment there. Okay. I'm sorry for that interruption. We just needed to shut the doors. If you would start over and speak into the mic.

MS. TAYLOR: Okay. My name is Marilyn Edwards Taylor. I reside at 413 Aiken Hunt Circle, Columbia. I do receive my driver's license at that address along with my voter registration. And I do pay my four percent property tax there.

CHAIRMAN KNOTTS: Has anything changed with your health to prevent you from going to board meetings in a full capacity?

MS. TAYLOR: No.

CHAIRMAN KNOTTS: Have any conflicts of interest arisen since your last screening?

MS. TAYLOR: No, sir. It hasn't.

CHAIRMAN KNOTTS: Nothing's changed since your last screening?

MS. TAYLOR: No, sir. It hasn't.

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

SENATOR PEELER: Move for favorable report.

CHAIRMAN KNOTTS: I have a motion for favorable report.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: I have a second. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

MS. DERRICK: Mr. Thomas B. Hamilton, Jr., has not been screened.

**Mr. Thomas B. Hamilton, Jr.**

MR. HAMILTON: My name is Tom Hamilton. I'm Thomas B. Hamilton, Jr. I reside at 133 West End Street in Chester, South Carolina 29706. I pay my four percent property taxes there. My driver's license is registered at that address. I vote from that address. And what else?

CHAIRMAN KNOTTS: Do you have any health-related problems that the screening should be made aware of that would prevent you from serving on the board in a full capacity?

MR. HAMILTON: No.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. HAMILTON: Yes.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that present a conflict of interest because of your service on the board? And if one should arise, what would be your position?

MR. HAMILTON: No, I do not. If I did, I would recuse myself.

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

MR. HAMILTON: No.

CHAIRMAN KNOTTS: Okay. If you would, briefly explain to this committee why you are interested in serving and why you want to serve and what you think you can bring to the Wil Lou Gray.

MR. HAMILTON: My wife has been in public education, a middle school principal for the last 40 years. And we've grown up around the kids. There are, I understand, they're varied backgrounds. I understand the hormonal changes that are going on in their lives, the push me/pull me internals going happening, and the peer pressures and the very backgrounds that they all experience. I've also been fortunate enough to serve on the Chester City Council and the Chester County Council for almost 12 years. And my background has come out of the chemical industry in sales. And we built a lean -- which obviously processed control and quality and good manufacturing purposes. Presently sell roofing materials and it is made of hundred percent post consumer plastic bottle flakes. In other words, we are taking what had normally been a landfill, putting value added properties on there and putting them on the roof. So that will be up there for the next 30 years. So anytime you hear that recycling doesn't work, it does work. And I also have a certified degree, professional certification from the National Association of Home Builders. And I'm on the board of trustees for Bethel United Methodist Church. And I think that brings some value to, potential value to the board.

CHAIRMAN KNOTTS: Okay.

REPRESENTATIVE WHITMIRE: A favorable report. He's Methodist. He's okay with me.

SENATOR PEELER: I'll second it and I'm a Baptist.

CHAIRMAN KNOTTS: I have a motion that he be found qualified and reported out. And I have properly seconded. Any discussion?

REPRESENTATIVE LITTLEJOHN: Mr. Chairman, just for the record, there's no residency required or anything for at-large candidates. No residency required or anything like or at-large candidates --

CHAIRMAN KNOTTS: So you're running for --

REPRESENTATIVE LITTLEJOHN: -- so they can live anywhere.

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

MR. HAMILTON: Thank you.

CHAIRMAN KNOTTS: Okay. The candidates that we have screened for Wil Lou Gray, you have all been reported out and at this time, you are free to leave with a reminder that you cannot seek any commitments until 48 hours after the board releases their report. Thank you.

MS. DERRICK: Winthrop University. 3rd District, Janet Smalley. She has been screened before.

**Ms. Janet Smalley**

MS. SMALLEY: Good afternoon. My name is Janet Smalley. My address is 202 East Maudlin Street, Walhalla. I receive my four percent property tax notice at that address and pay property taxes on that property. My driver's license address and my voter registration address are the same to 202 East Maudlin Street.

CHAIRMAN KNOTTS: Ms. Smalley, has anything occurred that would prevent you from attending meetings of the board in a full capacity since your last screening?

MS. SMALLEY: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings --

MS. SMALLEY: Yes, sir.

CHAIRMAN KNOTTS: -- on a regular basis? Okay. Do you have any interests professionally or personally that present a conflict of interest because of your service on the board?

MS. SMALLEY: No, sir. I do not.

CHAIRMAN KNOTTS: Okay. Do you hold any public position of honor or trust since your last screening that, if elected to the board, would cause you to violate the dual office holding clause of the constitution?

MS. SMALLEY: No, sir. I do not.

REPRESENTATIVE WHITMIRE: Mr. Chairman, if I may, Ms. Smalley and I both are residents of Walhalla. And I might add she's done an excellent job for Winthrop. And her husband has been my best friend since before the 1st grade so.

CHAIRMAN KNOTTS: So is that a form of --

REPRESENTATIVE WHITMIRE: I'm getting around to it. I move for a favorable report on Ms. Smalley.

CHAIRMAN KNOTTS: A motion. Do I have a second?

SENATOR PEELER: Mr. Chairman, on behalf of the citizens of Oconee, Senator Alexander seconds the nomination that she be found for favorable report.

CHAIRMAN KNOTTS: Any discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: If there's no discussion, we'll bring it to a vote. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed? Aye's have it. Let it be known it's unanimous and thank you for wanting to serve.

MS. SMALLEY: Thank you.

CHAIRMAN KNOTTS: Okay. You are free to leave now. That's all the unopposed for Winthrop. Just remember you cannot receive commitments for 48 hours after the screening report is issued.

MS. DERRICK: Francis Marion University. Mr. L. Franklin Elmore. He has been screened before.

MR. ELMORE: Mr. Chairman, my name is Frank Elmore. I reside at 117 Babbs Hollow in Greenville, South Carolina. My driver's license reflects that address. My voter registration certificate reflects that address. And I pay four percent sales tax based upon living at that address. It has been my pleasure to have served on the Francis Marion board. In my tenth year of my current term, which is currently expiring and that's why I'm seeking reelection.

CHAIRMAN KNOTTS: Okay. Do you have any health- related problems that the screening committee should be made aware of since your last screening that prevents you from serving on the board in full capacity?

MR. ELMORE: No, Mr. Chairman.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to continue to attend board meetings on regular basis?

MR. ELMORE: Yes, sir.

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

MR. ELMORE: No, sir.

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

MR. ELMORE: No, sir.

CHAIRMAN KNOTTS: Okay. Do I have any questions from the committee? I have no questions. Do I have a motion?

REPRESENTATIVE LITTLEJOHN: I make a motion.

SENATOR PEELER: Second.

CHAIRMAN KNOTTS: Representative Lanny Littlejohn for a favorable report. And I have a second from the Senator from Cherokee. Any discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Be no discussion, we'll move to a vote. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Aye's. Let it be known that you've been reported out favorably, unanimous. That includes the other senators proxies. Thank you, sir. You understand that you cannot seek any commitments for 48 hours after the report of this committee is released.

MR. ELMORE: Yes, sir.

CHAIRMAN KNOTTS: Thank you. And you may leave.

MS. DERRICK: At large, Seat 15. Kenneth Jackson has been screened.

MR. JACKSON: Mr. Chairman and committee members, I am Ken Jackson. I completed my third term on the Francis Marion Board. I reside at 530 Ridgewood Drive in Florence. I pay my four percent taxes and my driver's license at that address and my voter registration.

CHAIRMAN KNOTTS: Has anything changed since your last screening? Health-related problems that the committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. JACKSON: No, sir.

CHAIRMAN KNOTTS: Since your last screening, considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. JACKSON: Yes, sir.

CHAIRMAN KNOTTS: Since your last screening, do you have any interest professionally or personally that present a conflict of interest because of your service on the board?

MR. JACKSON: No, sir.

CHAIRMAN KNOTTS: Since your last screening, do you now hold any public position of honor or trust that, if elected to the board, would cause you to violate the dual office holding clause of the constitution?

MR. JACKSON: No, sir.

CHAIRMAN KNOTTS: Any member of the board have any questions? Do I have a motion?

SENATOR PEELER: Move favorably.

CHAIRMAN KNOTTS: A motion of favorable report from Senator from Cherokee.

REPRESENTATIVE LITTLEJOHN: Second.

CHAIRMAN KNOTTS: Second, Representative Littlejohn. Any discussion? No discussion, we'll move to the vote. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed? Let it be known that unanimous vote. You may now leave. I want to make you aware of you cannot receive or ask for commitments for 48 hours after you've been released, your report has been released from this committee.

MR. JACKSON: Right.

CHAIRMAN KNOTTS: You both may leave.

MS. DERRICK: That's all unopposed candidates.

CHAIRMAN KNOTTS: That's all unopposed candidates. We will now move into the opposed candidates. The first one, I would like to add. Let's see. Yeah. Okay. I'll do the first one.

MS. DERRICK: Right.

CHAIRMAN KNOTTS: Okay. Committee members I have a letter here from Senator Reese. Have you all received it? Have you all received the letter from Senator Reese?

COMMITTEE: Yes.

CHAIRMAN KNOTTS: Okay. What is the pleasure of the committee asking these 20 questions of each of these two candidates.

REPRESENTATIVE LITTLEJOHN: Mr. Chairman, I think you need to continue asking the questions you're asking, as far as I'm concerned.

SENATOR PEELER: I agree with Representative Littlejohn.

REPRESENTATIVE LITTLEJOHN: It is totally legal. All of this other is extra stuff. What we're doing is legal. And I would recommend we continue doing what we're doing.

CHAIRMAN KNOTTS: Some of these questions, you know, it appears -- committee members will look at it. Some of them are irrelevant. I think we're going to ask all of the others. What is the will of the committee?

REPRESENTATIVE WHITMIRE: Mr. Chairman, do you feel that some of these may be repetitious and don't need to be asked?

CHAIRMAN KNOTTS: I think we cover a lot of them. And some of them, I mean, whether you're married or not doesn't mean that -- if you're single, you're not disqualified.

SENATOR PEELER: Is it possible then to make a motion then and ask you to, you know, use your judgment on which ones to ask?

CHAIRMAN KNOTTS: I got a request from a senator to ask the questions. I just want to bring it to the committee. I'll do whatever the committee wants done.

REPRESENTATIVE MACK: Mr. Chairman, I would agree with Representative Littlejohn. But as chair, you have the discretion of one that you feel that want to pull out.

REPRESENTATIVE WHITMIRE: I've got confidence in --

REPRESENTATIVE MACK: But I would agree with Representative Littlejohn. I think we have a process that meets the threshold of what our job is. So I feel comfortable with what we're doing.

REPRESENTATIVE WHITMIRE: I make a recommendation we do not accept it the letter.

REPRESENTATIVE LITTLEJOHN: I second that because we're doing totally what the law says in the questions that you're asking, Mr. Chairman. And I would second that motion.

CHAIRMAN KNOTTS: So you don't want to ask any of them or you just want to?

REPRESENTATIVE LITTLEJOHN: The questions that you're asking now that we've been asking.

SENATOR PEELER: Mr. Chairman, I think you're asking relevant questions that are on the letter anyway. If you see some that may be relevant to the proceedings, you as chair certainly have that prerogative, but just to go one by one, I don't think is going to be productive.

REPRESENTATIVE LITTLEJOHN: I agree with that.

REPRESENTATIVE WHITMIRE: We could be here quite a while.

CHAIRMAN KNOTTS: These questions are basically aimed at one candidate and not both of them. They both can't live at the same address.

REPRESENTATIVE LITTLEJOHN: That letter goes for a -- to a particular city, Mr. Chairman, just referring to one candidate. And that is just not right.

CHAIRMAN KNOTTS: Okay.

REPRESENTATIVE WHITMIRE: My motion is to reject.

CHAIRMAN KNOTTS: Okay. I have a motion to reject the letter and ask the questions we've been normally questioning. And if any member here has a question that they want to ask, y'all all have copies of the letter and feel free to ask any. Do I have a second?

REPRESENTATIVE LITTLEJOHN: Second.

SENATOR PEELER: Everyone reserving their rights.

CHAIRMAN KNOTTS: Everyone reserving their rights. Okay. I have a motion and second. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Okay. Dr. Harold Jablon.

**Dr. Harold Jablon**

Would you come forward. Dr. Jablon, state your name.

DR. JABLON: Dr. Harold Jablon. I live in Columbia, South Carolina at 171 Aspen Trail, where I've lived for the past 16 years. My voter registration and my driver's license reflect that. And I pay my four percent tax at 171 Aspen Trail.

CHAIRMAN KNOTTS: Okay. Do you have any health- related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

DR. JABLON: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

DR. JABLON: Yes, sir.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that present a conflict of interest because of your service on the board and if one should arise, what would be your position?

DR. JABLON: No, sir.

CHAIRMAN KNOTTS: Sir?

DR. JABLON: Anything that will?

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

DR. JABLON: If I understand right, no, sir.

CHAIRMAN KNOTTS: Okay. If one should arise, what would be your position?

DR. JABLON? Once more?

CHAIRMAN KNOTTS: If one should arise, what would be your position? If a conflict should come up during your service on the board, what would you do?

DR. JABLON? I'm sorry. I didn't, you know, my hearing and I did not hear the question.

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

DR. JABLON? No, sir.

CHAIRMAN KNOTTS: You are a doctor?

DR. JABLON? Yes, sir.

CHAIRMAN KNOTTS: Okay. If a conflict of interest should arise, if you're successful in running for the board and being elected, while service on that board, if a conflict of interest should arise, what would be your position?

DR. JABLON? I would resign from the board if a conflict of interest arise.

CHAIRMAN KNOTTS: You'd resign or would you recuse yourself of the vote? DR. JABLON: I would get rid of the conflict of interest. If a conflict of interest should arise, and conflicts with my duties on the board?

CHAIRMAN KNOTTS: Yes, sir. Or a vote.

DR. JABLON: I would think -- hope they would not arise. If they did, I would, you know, I would resolve myself of any conflict of interest. I don't think any board member should have a conflict of interest that would -- certainly not on the board.

CHAIRMAN KNOTTS: So what you're saying: You would recuse yourself from that vote?

DR. JABLON: Oh, you're talking about a vote on the board?

CHAIRMAN KNOTTS: Yes, sir.

DR. JABLON: Oh, certainly I would excuse myself from the vote if there was a conflict of interest, but I would not, I think in my situation that wouldn't arise.

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

DR. JABLON: No, sir.

CHAIRMAN KNOTTS: Thank you. Dr. Jablon, tell us why you want to serve on the board and what will bring to the board?

DR. JABLON: Okay. I'm a candidate for the Medical University of South Carolina board for a number of reasons. I'm a 1971 graduate of the College of Dental Medicine there and we were the first graduating class. Right now, this weekend we're dedicated the College of Dental Medicine facility, which I am excited about. I love my school. I've served in numerous capacities, received several accolades. And some of the highlights would be in be serving on the MUSC Alumni Association, President. And also served three terms on the Health Sciences Foundation board. I was on the selection committee when Dr. Edwards retired. I was also on the selection committee when -- retired. I think being a candidate for the -- serving on the board of trustees is just a natural direction among Dr. Greenberg's campaign promise. It is a 3-year, 300 million dollar capital campaign drive. April will be 2 years, we're already at 297 million dollars. So I feel like with my involvement with that, within the budget crisis that we have now, that I would bring fund-raising capabilities to the board of trustees. And also bring new ideas to a lot that goes into education, research, and patient care. I also feel like I have the energy and the desire and admiration for MUSC. And I feel like I would enhance the board at MUSC.

CHAIRMAN KNOTTS: Any questions from the committee?

REPRESENTATIVE LITTLEJOHN: I move favorable report.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: Any questions?

REPRESENTATIVE WHITMIRE: Let's make sure I understood, you would recuse yourself from voting if there -- Dr. Jablon, you would recuse or not vote on a piece you, if there was a conflict of interest?

DR. JABLON: If there was a conflict?

REPRESENTATIVE WHITMIRE: Yes.

DR. JABLON: I wouldn't.

SENATOR WHITMIRE: I thought that was you were saying. I just wanted to --

DR. JABLON: If one would arise, I wouldn't.

SENATOR WHITMIRE: Okay. Thank you.

CHAIRMAN KNOTTS: Mr. Jablon, I want to ask you one question: When did you say you graduated from the Medical University?

DR. JABLON: I did not say.

CHAIRMAN KNOTTS: When did you graduate from the --

DR. JABLON: 1971.

CHAIRMAN KNOTTS: '71.

DR. JABLON: From the College of Dental Medicine. I was in the first graduating class of our dental school. That's why I mentioned that's why I'm so excited about our new College of Dental Medicine building that was dedicating this weekend.

CHAIRMAN KNOTTS: Okay. Any further questions? Do I have a motion?

REPRESENTATIVE LITTLEJOHN: So moved.

REPRESENTATIVE WHITMIRE: Second.

CHAIRMAN KNOTTS: I have a motion and a second. Any discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: No discussion. All if favor of reporting this candidate out favorably say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Let it be known it's unanimous. Thank you, sir.

MS. DERRICK: Dr. Thomas C. Rowland, Jr.

**Dr. Thomas C. Rowland, Jr.**

DR. ROWLAND: Mr. Chairman, I'm Tommy Rowland. And I'm running for re-election for the board of trustees from the 2nd congressional district as a medical member of the board of trustees. I reside at 705 Maple Street. My voter registration is in Ward 33 of Richland County.

CHAIRMAN KNOTTS: Is that Maple Street in Columbia?

DR. ROWLAND: Yes, sir. I'm sorry. My automobiles are registered at that address. My driver's license is that address. And was there another question that I?

CHAIRMAN KNOTTS: You pay your property taxes, four percent property at that address?

DR. ROWLAND: I pay my four percent property taxes at that address.

CHAIRMAN KNOTTS: Dr. Rowland, there was a question about your property tax at one time. And I believe you have since corrected all that and you transferred all your property taxes back to where you live?

DR. ROWLAND: Yes, sir. And I'll be glad to explain that if it's the will of --

CHAIRMAN KNOTTS: We have documentation with the committee. All of the committee members have the documentation so.

SENATOR WHITMIRE: We're good.

CHAIRMAN KNOTTS: Does anybody else have a problem with that?

CHAIRMAN KNOTTS: Okay. Tell us about your service and why you want to continue serving.

DR. ROWLAND: After I had been in Columbia in medical practice of OB/GYN about four or five years, I realized that it was appropriate for me to give something back to my community. So at that point, I served on the board of directors of the Cancer Society, Executive Council of the Boy Scouts. I was on the board of trustees at Heathwood Hall School. And I was a deacon in the church, Eastminister Presbyterian Church in Columbia. I have served as president of South Carolina Medical Association, South Carolina OB/GYN Association, Southern Medical Association, Southern GYN Association, and I've been the treasurer of the American College of OB/GYN. I was selected by John Hopkins University to be a consultant for them to teach family planning and surgical gynecology in third world countries. And to do that, I took a month off from my practice in Columbia every year for 15 years and went to such countries as Nigeria, Pakistan, Ghana, Afghanistan, India, Liberia, Mainland China, and even New Guinea. I served as a member on and chairman of the advisory board of the old C&S Bank in Columbia. And I currently serve on the advisory board of the National Bank of South Carolina in Columbia. I've been awarded the Order of the Palmetto on two occasions. One from the democrat, one from a republican. I have been designated a distinguished alumnus of MUSC in 1994. I've been a member of the board of trustees at MUSC representing the 2nd Congressional District since 1982. I served as vice chairman for a two-year term and have been chairman for three, two-year terms. I currently represent the board of trustees on the MUSC Foundation, which is a fund-raising organization. And in the past two years, we're raised over $300 million dollars. I also serve on the board of directors of the University of Medical Associates at UMA, which is a faculty organization at the university which supports the university financially in a tremendous amount. And I've been on that board for several years. I also serve on the board of directors of the Foundation for Research and Development at Medical University, which is a relatively new foundation because we've gotten so many young professors who are innovative and come up inventing medical devices, combinations of drugs, and so forth, that need patented. And this foundation serves the faculty in that way, to help them to get licenses and patents for what they develop. We're in the process -- we have just opened up Innovation Building in cooperation with South Carolina Research Authority in Charleston with young scientist have laboratory space to work and develop their products. We're in the process at the Foundation of Research and Development, we're in the process of with South Carolina Research Authority and the City of Charleston for the possibility of developing a research park. It's not as quite as big as the research triangle that Columbia has or North Carolina. Research park on land between Highway 17 and The Citadel, which would serve as a further area for research development for our faculty. I've served the university for these 27 years with great satisfaction and feeling that I'm making a contribution to the university and to the state. And I appreciate the confidence of the legislature in allowing me to serve.

SENATOR PEELER: Mr. Chairman, I don't want to interrupt you, Doctor, but I have one real quick question: Dr. Rowland, how many times did you volunteer be doctor of the day for the General Assembly? I was curious about that the other day?

DR. ROWLAND: Well, I've been doctor of the day I think at least once a year or every year since you and I both -- I think you were elected to the Senate the same year I was elected to the board and I've been a doctor of the day four or five times this year because I obviously wanted exposure to the legislature.

SENATOR PEELER: Thank you.

DR. ROWLAND: I had the privilege of treating Senator Peeler the other day, and I hope he feels better.

SENATOR PEELER: I feel better but -- ribs cracked over the weekend. A cow bumped into him.

DR. ROWLAND: Senator Peeler's been wrestling with cows and I can't stop him from doing that.

SENATOR PEELER: Mr. Chairman, I've heard enough. I'll move a favorable report on Dr. Rowland.

CHAIRMAN KNOTTS: Would you hold that motion for just a second?

SENATOR PEELER: Okay.

CHAIRMAN KNOTTS: There were some questions brought up about Dr. Rowland's residency. Myself and members of this committee looked into it. And I have in my possession here a driver's license of Dr. Rowland at 705 Maple Street in Columbia. I have a voter registration of Dr. Rowland at 705 Maple Street, Columbia. I have a letter from -- I have the registration of Marsha Adams, of the vehicle, at 705 Maple Street in Columbia. Both his vehicles. His wife's vehicle and his vehicle. And I also have an attorney general's opinion concerning residency which does not disqualify him. I also have a letter from the assessor's office and also the treasurer of the tax of the Georgetown County stating that he paid six percent taxes on his property down there and four percent -- it's also verified that you paid four percent at your property in Columbia, now. I think we have looked at this very thoroughly. If any member feels like that there's anything else needs to be looked into to be brought up to the question of his residency?

REPRESENTATIVE WHITMIRE: No.

CHAIRMAN KNOTTS: Okay. The Senator from Cherokee, you want to go with your motion?

SENATOR PEELER: Yes.

REPRESENTATIVE WHITMIRE: Second.

CHAIRMAN KNOTTS: Okay. I have a motion and a second. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Dr. Rowland, this committee finds you qualified. I want to advise you that you cannot seek commitments until 48 hours after you are released from this committee and the report is issued. If you do, that would be illegal and you would have to suffer the consequences.

DR. ROWLAND: And I understand that to mean that I can't ask for a vote; is that correct?

CHAIRMAN KNOTTS: Yes, sir. Until the 48 hours after we release the report.

DR. ROWLAND: But I can continue to shake hands and --

CHAIRMAN KNOTTS: You shake hands, identify yourself, and tell them you on the board or anything else. You just cannot get commitments to ask them to vote for you. And you can't get anybody else to go ask them to vote for you.

DR. ROWLAND: Thank you, sir.

CHAIRMAN KNOTTS: Thank you, Dr. Rowland.

DR. ROWLAND: Thank you, sir.

REPRESENTATIVE LITTLEJOHN: Chairman, Representative Mack votes "Aye."

CHAIRMAN KNOTTS: Sir?

REPRESENTATIVE LITTLEJOHN: Representative Mack votes "Aye."

CHAIRMAN KNOTTS: Okay. Then all voting was unanimous. The senator for Cherokee has two proxies. Thank you. Dr. Jablon and Dr. Rowland, you're both free to leave.

DR. JABLON: Thank you.

DR. ROWLAND: Thank you.

MS. DERRICK: 6th District, Non-medical. Mr. Charlie Appleby.

**Mr. Charlie Appleby**

CHAIRMAN KNOTTS: Come forward, Mr. Appleby. Also, I'd like to add to that we have a letter from the Joseph Good, General Counsel, verifying what we just talked about with Dr. Rowland. Okay. State your name.

MR. APPLEBY: Charlie Appleby.

CHAIRMAN KNOTTS: Okay. Mr. Appleby, you've been screened before this committee, too. But I'm going to have to ask you these questions.

MR. APPLEBY: Sure.

CHAIRMAN KNOTTS: Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. APPLEBY: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, will you be able to attend board meetings on a regular basis?

MR. APPLEBY: Yes, sir.

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

MR. APPLEBY: No, sir.

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

MR. APPLEBY: No, sir.

CHAIRMAN KNOTTS: And one more: If a conflict should present itself while you're serving on the board, what would be your position?

MR. APPLEBY: I would abstain from that particular vote.

CHAIRMAN KNOTTS: Thank you, sir. Answer --

MR. APPLEBY: You didn't ask me about the four percent --

CHAIRMAN KNOTTS: I'm getting to that. Okay. If you would state to the committee where your address is, what your voter registration is, your driver's license, your address, and where you pay your four percent property tax.

MR. APPLEBY: Senator, I'm 67 years old. I live in a retirement community which has been a wonderful move for me. So I therefore own no property. I cleaned up all my estate. I sold all my taxes, I sold all my stock, I sold everything and put it into money. And so therefore, I do not pay any four percent tax. Okay.

CHAIRMAN KNOTTS: The retirement home in which you live, is it in the district for which you are running?

MR. APPLEBY: It is in the district, the 6th District. Yes, sir.

CHAIRMAN KNOTTS: Do you have any vehicles registered in your name?

MR. APPLEBY: Yes, sir.

CHAIRMAN KNOTTS: Are they at the retirement home or?

MR. APPLEBY: Yes, sir.

CHAIRMAN KNOTTS: Where are they registered?

MR. APPLEBY: Right there at the retirement center.

CHAIRMAN KNOTTS: Okay. Your voter registration registered at the retirement center?

MR. APPLEBY: Yes, sir. My voter registration is at the retirement center.

CHAIRMAN KNOTTS: All right. Tell us, Mr. Appleby, why you want to serve on the board.

MR. APPLEBY: Senators and members of the committee, I served on this board for four years. I enjoyed it. I thought I did a wonderful job. I come to a realization that I have the time now and the energy that I feel like I can be an asset to the Medical University. My father finished there as a dentist back in years and years ago. My brother finished there as a medical doctor. And I have some very close relationships with staff, residents, and I would like to go back and serve again. That's it, Senator.

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

MR. APPLEBY: Yes, sir.

CHAIRMAN KNOTTS: You are now content with the fact that your opponent lives where he applied like he told us earlier?

MR. APPLEBY: This four percent has come up again, Senator. My opponent owns a house at 2734 Cypress Bend Road in Florence. And that is where he's -- his four percent is attached to. And that would happen to be the 5th district.

CHAIRMAN KNOTTS: You have some information on that?

MR. APPLEBY: Yes, sir.

CHAIRMAN KNOTTS: Documentation?

MR. APPLEBY: Yes, sir.

CHAIRMAN KNOTTS: If you would pass it up. All. right. Any questions for Mr. Appleby?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Be no questions. Do I have a motion?

SENATOR PEELER: Move for favorable report.

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

REPRESENTATIVE LITTLEJOHN: Second.

CHAIRMAN KNOTTS: Motion and properly seconded. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Let it be known there were proxies for both Senators. Okay. Let it be known that it was unanimous. Okay. Next is Mr. Robinson Tallon.

**Mr. Robin Tallon**

MR. TALLON: Good afternoon, Mr. Chairman and members of the committee. I'm very pleased to have this opportunity to come before you again seeking qualification to serve my second term on the Medical University Board.

CHAIRMAN KNOTTS: Mr. Tallon, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. TALLON: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. TALLON: Yes, sir.

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

MR. TALLON: No, sir.

CHAIRMAN KNOTTS: And if one should arise, what would be your position?

MR. TALLON: I would recuse myself.

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

MR. TALLON: No, sir.

CHAIRMAN KNOTTS: Okay. Mr. Tallon, tell us why you want to continue serving on the board.

MR. TALLON: I would like to continue my service. I've been privileged to be on the board for the past four years. And I, as a non-medical member, as a lay. member, I have developed great appreciation and understanding for the Medical University far beyond what one may think of its mission. Under President Ray Greenberg and leaders here, it's a highly respected staff and associates at Medical University. And University Hospital is enjoying significance in recognition, not only in this country, but borderline. And I would like to be continuing my small little role on the board of trustees. It's an excellent board in providing leadership, guidance, to see this institution grow not only for the health of South Carolina, but for the general economic development. And it attracts so many business opportunities and economic opportunities to the state. In closing, just a small little situation. The other day, my wife called me and she said, "I've got some bad news, Robin." She said, "But there's something you'll find quite positive in it." And I said, "Well, my goodness, what is it?" Well she's a dean of education at a small university over on the eastern shore of Maryland. And she said one of her professors came in and he had to take a 10-day leave of absence. That his wife was diagnosed earlier in the week with pancreatic cancer. And only five hospitals in the United States that were recommended for this lady to go to, to get this. procedure done. And, of course, they live right in the shadow of John Hopkins Medical enterprise. And anyway, she went on to tell me that the professor's wife was already at MUSC in Charleston. And I did ask. I said, "Well why would they not go to Hopkins?" And there were only five places in the country that did that. She said, "Well, they've had something -- they weren't satisfied with something that had happened." I'm just very proud to report and, of course, it was so interesting because my wife has been down to MUSC with me. And the professor had no idea that that was -- that she had any relationship. My wife reflected on that. And I tell you this is one of many reasons I hear about things like this all the time. Thank you.

CHAIRMAN KNOTTS: Any questions by any member of the board?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: With no questions, let me inform the board of this. We have asked if we have a previous letter from the Attorney General's office verifying his residency. We have now a packet was sent to SLED by Mr. Charlie Appleby asking them to look into his residency. I have a report back just received from SLED and had conversation with Sophia on the telephone. And I just want to read it for the record. "Per our previous conversation, this email is to verify the address of Robin Tallon, which is 4432 Millstone Circle, Florence. Please call if you got any questions." Signed by Sabrina Lattimore Matthews, Administrative Assistant to this chief -- the Office of Chief of Staff, SLED. So I think that probably puts this matter to rest. Unless some of the members feels differently. Do I have any questions from anybody?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: If no questions, do I have a motion?

SENATOR PEELER: So moved, Mr. Chairman.

CHAIRMAN KNOTTS: I have a motion to find him qualified. Do I have a second?

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: I have a motion from the Senator from Cherokee and a second by Representative Mack. Any discussion?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: No discussion. We'll take it to a vote. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: And the proxies will be voting in that manner. Okay. It will be recorded as unanimous. . Mr. Appleby and Mr. Tallon, you both understand you cannot seek commitments until 48 hours after we release the report from this committee. And if you do so, that is a violation of state law. And therefore, you're both free to leave. You can check in, whatever you want to do and introduce yourself, but --

MR. TALLON: Thank you, Mr. Chairman.

CHAIRMAN KNOTTS: -- you can't ask for a commitment.

MR. APPLEBY: Thank you.

CHAIRMAN KNOTTS: For the committee, I have a request of -- we had a gentleman who was not here earlier. He was out. He's been sick and he has asthma. And at this time, I would like to go back to the University of South Carolina and take him up so he can be screened.

MS. DERRICK: 11th Circuit, Michael J. Mungo. He has been screened before. Running unopposed.CHAIRMAN KNOTTS: Mr. Mungo, let me ask you a few questions. Since your last election, do you have any health-related problems that the screening committee should be made aware of that would prevent you from your serving on the board in a full capacity? Speak into the mic, please.

MR. MUNGO: No. There is nothing to prevent me from serving.

CHAIRMAN KNOTTS: Okay. Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. MUNGO: Yes, I would.

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

MR. MUNGO: None.

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

MR. MUNGO: No, I do not.

CHAIRMAN KNOTTS: Okay. If a conflict should arise during your service on the board that would present a conflict of interest, what would be your position?

MR. MUNGO: I would take no position.

CHAIRMAN KNOTTS: Take no position or would you recuse yourself?

MR. MUNGO: I would recuse myself.

CHAIRMAN KNOTTS: Okay. All right. This candidate has been screened before. Let me ask you this: Where do you pay your four percent property taxes?

MR. MUNGO: I pay them in Lexington County.

CHAIRMAN KNOTTS: What's the address?

MR. MUNGO: 201 Saint Andrews Road.

CHAIRMAN KNOTTS: That's where you currently live?

MR. MUNGO: That's correct.

CHAIRMAN KNOTTS: Okay. Your car -- your vehicle registered at?

MR. MUNGO: I think my vehicles are registered at my office, which is 441 Western Lane, which is Irmo.

CHAIRMAN KNOTTS: Yeah. That's still in the area. Your voter registration registered on Saint Andrews Road?

MR. MUNGO: Yes. That's correct.

CHAIRMAN KNOTTS: Okay. Any member have any questions?

REPRESENTATIVE WHITMIRE: I just sympathize with Mr. Mungo having asthma. My wife has it and I --

MR. MUNGO: I apologize for my dress, but I had a severe asthma attack. I had to go to the doctor to get a shot. I generally wear a tie and coat, but it's too tight to breathe for me. So I apologize for being late.

REPRESENTATIVE WHITMIRE: We certainly understand.

MR. MUNGO: I've been on this board forever.

CHAIRMAN KNOTTS: Mr. Mungo is unopposed. Any questions from the board?

SENATOR PEELER: Move for a favorable report.

CHAIRMAN KNOTTS: I have a motion by the senator from Cherokee; it's a favorable report. Do I hear a second?

REPRESENTATIVE WHITMIRE: Second.

CHAIRMAN KNOTTS: Properly seconded. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Proxies will be voted with that making it unanimous. Thank you, Mr. Mungo. You cannot get any commitments until 48 hours after the report is published.

MR. MUNGO: Thank you very much.

CHAIRMAN KNOTTS: Thank you, sir. You are free to leave.

MS. DERRICK: SC State University, 3rd District.

CHAIRMAN KNOTTS: Okay. I would like to go into executive session before we go with SC State to give the board some information. Do I have a motion?

REPRESENTATIVE WHITMIRE: So moved.

REPRESENTATIVE MACK: Second.

SENATOR PEELER: Mr. Chairman, are you going to let them -- can we go through the rest of them to keep them from having to wait and just carry over the others and then just -- I'm just trying to be cognizant of the people who have to wait, but whatever you want to do.

MS. DERRICK: You want to go to USC?

CHAIRMAN KNOTTS: Okay. Let's go to USC. That's what I was trying to do a while ago. We will not take SC State at this time. We'll move forward with the next group, will be --

MS. DERRICK: University of South Carolina.

CHAIRMAN KNOTTS: -- University of South Carolina.

MS. DERRICK: 1st Circuit, Dr. Sharon Eden.

**Dr. Sharon Eden**

DR. EDEN: Good afternoon, Chairman, the rest of the committee. I'm Dr. Sharon Inabinet Eden, a lifelong resident of Calhoun County. I live at 371 True Blue Road, Saint Matthews in the Fort Motte community of Calhoun County. I pay my four percent taxes there and my driver's license and voter registration is there as well.

CHAIRMAN KNOTTS: If you will answer the following questions. Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

DR. EDEN: No, I do not.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

DR. EDEN: Yes, I would.

CHAIRMAN KNOTTS: Do you have any interests personally or professionally that present a conflict of interest because of your service on the board? And if one should arise, what would be your position?

DR. EDEN: I have no conflicts. I would recuse myself of any issues that might come up.

CHAIRMAN KNOTTS: Do you now hold any public position of honor or trust that, if elected to the board, would cause you to violate the dual office holding clause of the constitution? DR. EDEN: No, I do not.

CHAIRMAN KNOTTS: Okay. All right. If you would, please state why you want to serve on the board.

DR. EDEN: First, I want to state that I love my university. I have a undergraduate degree in biology and a post-doctorate degree and residency in obstetrics and gynecology from the University of South Carolina. I have served on the Gamecock Club board of directors for the past several years. And in the fall, was on the Procedures Committee there and realize that I would like to offer my services to the University in general, as well, and not just restrict it to the athletic department. I feel as a parent, as a business woman, in this position, volunteer, Clinical Associate Professor with USC Department of OB/GYN, that I can make significant contributions to the board and to our university. I would like to abide by the university mission statement, which is to provide service, education, creative activity and research to our state's diverse citizens. I, too, am interested, as Dr. Rowland mentioned in the Medical University, in creating something called the Research Corridor to pass between Clemson, USC, and MUSC; to increase jobs, promote our economy and our state and promote better understanding and cooperation between our universities, which I think is needed. As a businesswoman, I well understand the importance of running a cost-effective organization as well as not compromising, however, the quality of care. I think it is important to try to maintain tuition costs as a joint effort before the university and our state government so that we can help promote education in our -- among our students, and excuse me, as well as to promote a cooperation between the university and our government as well. I think in this sense, we can have the University of South Carolina students excel in jobs that we would all create together. We could move South Carolina forward in this day and time.

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

SENATOR PEELER: I think John Land was right. Move for a favorable report.

CHAIRMAN KNOTTS: Move for a favorable report by the senator from Cherokee. Second?

REPRESENTATIVE WHITMIRE: Second.

CHAIRMAN KNOTTS: Properly seconded. Offer any discussion. No discussion. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Let it be known that it's unanimous. Thank you.

MS. DERRICK: Boyd McLeod.

**Mr. Boyd McLeod**

MR. MCLEOD: Mr. Chairman, I'm Boyd McLeod. I reside at 20 Academy Road, Saint Matthews, South Carolina along with my driver's license, my voter registration, and my four percent property tax.

CHAIRMAN KNOTTS: Okay. Let me ask you these questions. Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. MCLEOD: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, will you be able to attend board meetings on a regular basis?

MR. MCLEOD: Yes, sir.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that present a conflict of interest because of your service on the board? And if a conflict should arise while serving on the board, what would be your position?

MR. MCLEOD: I would recuse myself from voting and discussion.

CHAIRMAN KNOTTS: Do you have any present conflicts of interests? It's a two-part question.

MR. MCLEOD: Oh, no, sir. No conflicts of interest.

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

MR. MCLEOD: Yes, sir. I'm currently chairman of the Calhoun County Zoning Appeals Board of which I would resign immediately and be happy to give up.

CHAIRMAN KNOTTS: Thank you. Okay. Tell us why you want to serve on the board.

MR. MCLEOD: Mr. Chairman and committee members, I want to thank you for this opportunity today. The University of South Carolina has meant so much to me over my lifetime. It's where I met my wife of 13 years, who I actually met serving as a page right here in the Senate. My entire family has graduated from public institutions in South Carolina. My father graduated from The Citadel, my mother from Carolina, and my sister from Clemson. To put it simply, just like every other candidate up here today, I do love this university. And after the last four years of serving on the board of visitors, appointed by Mr. Wienges, I have learned how much I want to give back and help in the time that's needed. And the other things that are required to give back to the university to make it a great university for our students. As a businessman, with over hundred employees, I see the need for education every day. A lot of our employees are all four-year college graduates and I see the need for that. Keeping education as economically feasible today is the most important thing we can do to make our citizens more job ready for tomorrow. And I also would like to help keep the tuition down and the debt load at a reasonable requirement. Thank you, Senator Knotts.

CHAIRMAN KNOTTS: Okay. Thank you, sir. Does any members of the board have any questions for this candidate?

SENATOR PEELER: I move favorable.

CHAIRMAN KNOTTS: I have a motion from the Senator from Cherokee.

REPRESENTATIVE LITTLEJOHN: I second.

CHAIRMAN KNOTTS: Second by Representative Littlejohn for a favorable report. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: And the proxies going to vote the same way?

SENATOR PEELER: Yes, sir.

CHAIRMAN KNOTTS: Okay. Let it be known it's unanimous. Thank you, sir.

MR. MCLEOD: Thank you.

MS. DERRICK: 3rd Circuit, Mr. Jack Osteen.

**Mr. Jack Osteen**

MR. OSTEEN: Thank you. My name is Jack Osteen. I live at 24 Swan Lake Drive in Sumter. I pay four percent property tax there. My voter registration is there in the Swan Lake precinct. My car is also registered there.

CHAIRMAN KNOTTS: Okay. The following questions. Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

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

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. OSTEEN: Yes.

CHAIRMAN KNOTTS: All right. Do you have any interests professionally or personally that present a conflict of interest because of your service on the board? And if one should arise, what would be your position?

MR. OSTEEN; No, I do not and I would recuse myself from the situation.

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

MR. OSTEEN: I do not.

CHAIRMAN KNOTTS: And tell us briefly why you want to serve.

MR. OSTEEN: I've spent the majority of my life living and working in Sumter for my family business, 115 years of serving Sumter, Lee, and Clarendon Counties. Also, I have family ties in Williamsburg County. I've witnessed first hand the positive impact USC Sumter has had on the entire 3rd Judicial Circuit having served on the advisory and foundation boards for a number of years. If elected to the board, I plan to use my position to make the Sumter campus an even stronger part of the University of South Carolina system. My goal is always the same, which is to work enthusiastically in order to improve the organization and community it serves. I'm a proud 1993 graduate of the University of South Carolina and willing to tackle many issues facing higher education just about as I've tackled the tough and sometimes unpopular issues in my own community. I feel like I've gained the confidence of much of my local delegation to give the 3rd Judicial Circuit the best representation possible. My track record of community service and public service has proven that. And I am not afraid to tackle the tough issues facing University of South Carolina Board of Trustees. I excel under pressure and look forward to the opportunity to help create policies that will allow our academic and athletic program to thrive on a local, state, national and global levels. Thank you.

CHAIRMAN KNOTTS: Okay. Thank you. Any questions of the committee?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: If not, do I have a motion?

SENATOR PEELER: Move for favorably report.

CHAIRMAN KNOTTS: Motion from the Senator from Cherokee.

REPRESENTATIVE LITTLEJOHN: Second.

CHAIRMAN KNOTTS: Second by Representative Littlejohn. Any discussion?

COMMITTEE: (No response.)

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

CHAIRMAN KNOTTS: All opposed?

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: The vote is unanimous.

MR. OSTEEN: Thank you.

CHAIRMAN KNOTTS: Thank you.

MS. DERRICK: C. Dorn Smith, III.

**Mr. C. Dorn Smith, III**

DR. SMITH: Good afternoon. I'm Dorn Smith from Turbeville. I live at 2322 Burnt Branch Road, Lake City, South Carolina which is Clarendon County. That's where I vote in Barrineau precinct, which is also Clarendon County as well.

CHAIRMAN KNOTTS: Okay. Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

DR. SMITH: No, sir. I do not.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?DR. SMITH: Yes, sir. I will.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that would present a conflict of interest because of your service on the board? And if a conflict should arise, what would be your position?

DR. SMITH: I would recuse myself from any discussion and/or votes.

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

DR. SMITH: Yes, sir, I do. I currently serve on the legislative audit committee. I would resign that.

CHAIRMAN KNOTTS: Okay. If you would, tell us briefly why you want to serve.

DR. SMITH: Yes, sir. I'm a lifelong resident. I grew up in Clarendon County where education was at a premium. In order for our children to get ahead in this world, we have to be able to educate them. And the flagship university is the key to doing that through outreach and our branches. As a graduate of the USC School of Medicine, I look forward to being the first graduate of the USC School of Medicine to serve on the board and be able to help us continue to focus on the rural needs of our country and our state and be able to educate our children.

CHAIRMAN KNOTTS: Any questions from members of the board?

SENATOR PEELER: No, sir. You just handed out a --

CHAIRMAN KNOTTS: Yes.

SENATOR PEELER: -- letter. I didn't know if you were going to take that up?

CHAIRMAN KNOTTS: I'm going to read this to the board. I believe everyone has a copy of it. It's from Senator Phil Leventis. It says, "It has come to the attention that Dr. C. Dorn Smith, who has filed as a candidate for the USC Board of Trustees from Clarendon County, is actually not a resident of Clarendon County. He resides in Florence County, where his wife is registered to vote and where they claim a homestead exemption on their home to receive a four percent tax rate. While Dr. Smith is a wonderful gentleman who does great work, it is required that he live within the district he seeks to represent on the board of trustees. He is currently a member of the Legislative Audit Council with a term that extends to 2013 and lists his address as Florence." Dr. Dorn, do you list your address as Florence --

DR. SMITH: No, sir. I list my address --

CHAIRMAN KNOTTS: -- with the Legislative Audit Committee? DR. SMITH: When I was appointed to that, I was living in Florence at that time, Senator. And I have since moved back to the farm after that. And since I also have my concealed weapons permit where SLED investigated me back -- it was issued in November of this year that shows that I am a legal residence of Clarendon County.

CHAIRMAN KNOTTS: How about your driver's license?

DR. SMITH: My driver's license also says Clarendon County. It's actually Lake City, but it's in Clarendon County. And I vote in Barrineau, which is also in Clarendon County, sir.

CHAIRMAN KNOTTS: All right. Do you receive a four percent property tax in Clarendon County on your property?

DR. SMITH: Senator Leventis handed me that today. I was unaware that my wife hadn't handled that for me. Her mother is dying of liver cancer and so she hasn't handled that. She was supposed to take care of moving the homestead exemption as well as moving her voter registration and obviously with her mother dying of liver cancer, it's not been her -- she's been a little distracted.

CHAIRMAN KNOTTS: Does she reside with you in Clarendon County?

DR. SMITH: She does indeed, sir.

CHAIRMAN KNOTTS: Would you provide the staff copies of those documents that you just said?

DR. SMITH: Absolutely. I'd be happy to.

CHAIRMAN KNOTTS: And she'll make copies and return them to you.

DR. SMITH: Yes, sir. I'd be happy to.

SENATOR PEELER: I've heard enough and I move a favorable report on Dr. Smith.

REPRESENTATIVE LITTLEJOHN: I second.

CHAIRMAN KNOTTS: I have a motion from the Senator from Cherokee and a second from Representative Littlejohn Favorable report. Any discussion?

REPRESENTATIVE WHITMIRE: I've just got one thing to say. It seems to me that the gentleman has reputed. This bothers me that letters come like this questioning, you know, his residency and stuff. I mean, he's obviously a gentleman of high esteem in his community. So I don't know. I guess I just have a problem sometimes when people get accused of something.

CHAIRMAN KNOTTS: I think he stated that he is correcting that situation with the property tax.

DR. SMITH: Yes, sir.

REPRESENTATIVE WHITMIRE: Okay.

CHAIRMAN KNOTTS: It was being paid four percent in Florence.

DR. SMITH: That is correct. Well it's good for me because the taxes are higher in Clarendon County. I'll get a better deal.

REPRESENTATIVE WHITMIRE: So that Burnt Branch is in Clarendon?

DR. SMITH: Yes, sir. Where I grew up, we claimed Turbeville, because we had a Turbeville home phone number. We've got a Lake City address. We voted in Barrineau. I went to high school in New Zion. And when it came out to play at American Legion Baseball, I had to go to Olanta. So I don't know where I'm from.

CHAIRMAN KNOTTS: Did you say, "Olanta"?

DR. SMITH: Olanta. Not Atlanta. It's not Atlanta.

REPRESENTATIVE WHITMIRE: Okay. Well, you have thoroughly confused me now.

DR. SMITH: Clarendon, Lee, Sumter, Florence, all run together. It's right down the middle of nowhere.

CHAIRMAN KNOTTS: I'm glad to know, glad to be somebody from Olanta.

DR. SMITH: Thank you, sir.

CHAIRMAN KNOTTS: My step-grandfather and my step-grandmother was living when I was about 3 years old.

DR. SMITH: Yes, sir.

CHAIRMAN KNOTTS: I lived in Olanta for a couple of years.

DR. SMITH: Well we still do business in Olanta every single day. Citizens Bank is headquartered there.

CHAIRMAN KNOTTS: Do you know a Dr. Welch?

DR. SMITH: Extremely well.

CHAIRMAN KNOTTS: He treated me when I got run over by an A-model Ford in the Christmas parade.

DR. SMITH: They still probably got the same A-Model Ford now there, too, Senator.

SENATOR PEELER: That probably explains why you act the way you do.

CHAIRMAN KNOTTS: I'm scared to death of A-Models.

SENATOR PEELER: Chairman, if we're through with the serious business I've got a question. Have you ever been told you sound just like our reading clerk?

DR. SMITH: John Wienges and I were in the same fraternity. And he was my little brother in college.

SENATOR PEELER: You have the same accent. You picked up on that accent.

DR. SMITH: We called him "Spanky" back then.

CHAIRMAN KNOTTS: Spanky?

DR. SMITH: Spanky Wienges.

CHAIRMAN KNOTTS: He will be called that Tuesday.

SENATOR PEELER: I repeat my motion as favorable report.

REPRESENTATIVE WHITMIRE: Second.

CHAIRMAN KNOTTS: We have a motion of favorable report, properly seconded. Any discussion?

COMMITTEE: (No response.)

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

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Let it be known that it's unanimous.

MS. DERRICK: 5th Circuit, Mr. William C. Hubbard.

**Mr. William C. Hubbard**

MR. HUBBARD: Good afternoon. My name is William Hubbard. I live a 4329 Woodleigh Road in Columbia South Carolina. I vote -- my voter registration is at that address. I pay four percent property taxes at that address. My vehicles are registered at that address. The zip code is 29206 in Richland County.

CHAIRMAN KNOTTS: Okay. This applicant has been screened before. Has anything changed from your last screening that would permit you from serving on the board in a full capacity?

MR. HUBBARD: No, sir, Mr. Chairman.

CHAIRMAN KNOTTS: Your present occupation, anything changed to make you not be able to attend board meetings on a regular basis?

MR. HUBBARD: No, sir, Mr. Chairman.

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

MR. HUBBARD: No, sir, Mr. Chairman.

CHAIRMAN KNOTTS: And if one should arise, what would be your position?

MR. HUBBARD: I would recuse myself.

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

MR. HUBBARD: No, sir.

CHAIRMAN KNOTTS: Okay. Tell us briefly why you want to continue serving.

MR. HUBBARD: Mr. Chairman, members of the committee, as you know South Carolina still has challenges. We still have an under-served population when it comes to higher education. We're below the national average in the number of citizens that have baccalaureate degrees. We have to do a better job of utilizing all of our resources, provide more access more economically for the people of South Carolina. And to make sure that education is a high quality education so that the next generation of South Carolinians can compete in an ever increasing global economy. I feel like I've been a conscientious board member trying to keep costs down, accessibility up, and quality up are things I believe strongly in. We all have to work together to provide a greater higher education opportunity. I think I bring some leadership qualities to the board of the University of South Carolina that have been recognized by my peers. And certainly, I'm very proud of receiving in 2009 the Distinguished Alumnus Award from the University of South Carolina.

CHAIRMAN KNOTTS: Okay. Any members have a question?

REPRESENTATIVE LITTLEJOHN: Mr. Hubbard, I see where you were declared a super lawyer. Do you charge more?

MR. HUBBARD: No, sir. In fact, I don't think I've been charging anybody the last couple of weeks. I'm just trying to hang on to a few clients right now.

CHAIRMAN KNOTTS: Any other questions from any members? No questions.

SENATOR PEELER: Move for a favorable report.

CHAIRMAN KNOTTS: There's a motion for favorable report --

REPRESENTATIVE LITTLEJOHN: Second.

CHAIRMAN KNOTTS: -- from the Senator from Cherokee. Properly seconded by Representative Littlejohn. Any discussion? No discussion. Call it to a vote. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed? Let it be unanimous.

MR. HUBBARD: Thank you, sir. Thank you very much, committee.

MS. DERRICK: Mr. Russ "Chip" McKinney, Jr.

**Mr. Russ “Chip” McKinney, Jr.**

MR. MCKINNEY: Thank you, Mr. Chairman, members of the committee. My name is Russ McKinney, Jr. I live at 537 Santee Avenue in Columbia, Richland County. I pay four percent tax there and driver's license and car is registered there. I vote in Ward 1, City of Columbia.

CHAIRMAN KNOTTS: That's where you're registered at that address?

MR. MCKINNEY: Yes, sir.

CHAIRMAN KNOTTS: Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on this board in a full capacity?

MR. MCKINNEY: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. MCKINNEY: Yes.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that present a conflict of interest because of your service on the board? If one should arise, what would be your position?

MR. MCKINNEY: I would recuse myself from participating.

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

MR. MCKINNEY: No.

CHAIRMAN KNOTTS: Tell us, Mr. McKinney, briefly why you feel like you would be an asset to the board and want to serve.

MR. MCKINNEY: Thank you, Mr. Chairman and members of the committee. I would be honored to continue to serve you in Richland. I worked at the university from 1988 to 2008. For 20 years, I served as director of public affairs and director of communications. So like I said, I would be honored if I was elected to continue to serve my alma mater. I think I'd bring a unique perspective to the board of trustees. I was a 1973 graduate of Carolina. And like many of the students, I think, that are there today I was the first person in my family who attended college and graduate from college. So I think a lot of the issues that we're dealing with today as far as access and costs of higher education are issues that particularly resonate, still resonate with me. And those are matters that I would be extremely interested in, in working with if I were elected to the board. I'd be happy to answer any questions.

CHAIRMAN KNOTTS: Do I have any questions from any committee members?

REPRESENTATIVE LITTLEJOHN: Just a comment. Mr.. McKinney is a graduate of Spartanburg Methodist College. That's a good school and I recommend him favorably.

SENATOR PEELER: Spartanburg High School, too, Mr. Littlejohn.

REPRESENTATIVE LITTLEJOHN: The high school also.

CHAIRMAN KNOTTS: Any other member have question?

SENATOR PEELER: I was a graduate of Gaffney High School. I reluctantly second.

MR. MCKINNEY: We were one and two my years there.

CHAIRMAN KNOTTS: Okay. We can -- yes, sir?

SENATOR ALEXANDER: And maybe I ask you to talk about continuing to serve the university at your capacity, but you do not have a capacity with the university at this time?

MR. MCKINNEY: No, sir. I left the university in 2008. And I have no business relationship --

SENATOR ALEXANDER: No continuity there, no business there?

MR. MCKINNEY: No, sir.

CHAIRMAN KNOTTS: You don't have any connections to the university except --

MR. MCKINNEY: Use to the alumni association.

CHAIRMAN KNOTTS: Okay. I have a motion and a second. Any discussion? If no discussion, all in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed? Let the record reflect it was unanimous.

MS. DERRICK: 13th Circuit, Mr. Richard A. "Dick" Jones, Jr.

**Mr. Richard A. “Dick” Jones, Jr.**

MR. JONES: Thank you, Mr. Chairman and other distinguished members of the committee. I appreciate the opportunity to address you today concerning my candidacy for the USC seat on the 13th Judicial Circuit. My address is 15 Bachman Court, Greenville, South Carolina. That address is my legal residence for purposes for tax assessment. And it is also my address for purposes of my voting registration. It is also the address of my personal vehicle registration.

CHAIRMAN KNOTTS: Okay. If you would answer the following questions. Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in full capacity?

MR. JONES: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. JONES: Absolutely. Yes, sir.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that present a conflict of interest because of your service on the board? And if one should arise, what would be your position?

MR. JONES: I would recuse myself and I would do that in case of an actual or any apparent conflict of interest. I think that's very important.

CHAIRMAN KNOTTS: Do you have any presently?

MR. JONES: No, sir. No, sir. No, sir.

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

MR. JONES: No, sir, Mr. Chairman.

CHAIRMAN KNOTTS: Okay. If you would, please tell us a little briefly why you offer for service.

MR. JONES: Yes, sir. I would like to make a short statement. I understand that the statement that we submitted will be inserted --

CHAIRMAN KNOTTS: Yes.

MR. JONES: -- into the record.

CHAIRMAN KNOTTS: In fact, we have reviewed. We have your record up here just like we do all the other candidates. And it will be made part of the record.

MR. JONES: Thank you, sir. At this stage of my life, I want to give back to the university that established the education and foundation of my life for my tax and business legal practice. As the years have passed, I've tried to focus on what is really important in life. And in this case, to offer my talents and time. Truly it gave me a great education and skills to be successful in life. I know the people of the 13th Judicial Circuit. I was raised in Pickens County in Easley. I practiced law in Greenville for over 33 years. My ancestors settled in southern Greenwood County almost 200 years ago. I know and love the University of South Carolina. I have undergraduate and law degrees from USC. My three children have attended or are attending currently the university at both the undergraduate and graduate degree levels. In fact, I have one right over here. My name's sake who's furthering his education by being present today. I have a diverse and legal background that should be helpful to the USC board. I have a masters of laws and taxation from Georgetown Law Center. I served as a trial attorney with the U.S. Treasury Department. And as chief legislative assistant in the United States Senate as well as minority council for one of the sub-committees of the U.S. Senate Judiciary. Committee. My law practices included legal and regulatory aspects of tax exempt entities such as hospitals and educational institutions. In addition, my training and experience in planned giving, financial operations, marketing, and public relationship, should be helpful to the university. I am a committed and disciplined individual. I served 30 years with the South Carolina National Guard and U.S. Army Reserve, retiring in 1999. I have an enlisted rank from E1 up to Sergeant and officer rank from Second Lieutenant to full Colonel, in which rank I retired. I have the time, the motivation, energy and passion to serve. Reduced time spent in my law practice plus my genuine interests in all people will ensure that I will be available, responsive, and accountable to our citizens, state representatives, and to the university. I think our joint goal ought to be to provide a high quality, but also accessible education for South Carolinians. The increasing number of out-of-state students, I think is a concern. Plus the cost considerations of tuition, especially now that we're in tough economic times. I believe I could offer a unique perspective founded on common sense, fiscal restraint, constituent services, and communication skills. Thank you, Mr. Chairman and members of the committee.

CHAIRMAN KNOTTS: Do we have any questions from any members of the committee? Be no questions. Do I have a motion?

SENATOR PEELER: Move for favorable report.

CHAIRMAN KNOTTS: I have a motion from the Senator from Cherokee.

REPRESENTATIVE MACK: Second.

REPRESENTATIVE LITTLEJOHN: Second.

CHAIRMAN KNOTTS: Seconded by Representative Mack and Littlejohn. Any discussion? There'll be no discussion. We'll move for a vote. All in favor say, "Aye."

COMMITTEE: Aye

CHAIRMAN KNOTTS: All opposed say, "No." Let the record reflect it’s unanimous.

MR. JONES: Thank you.

CHAIRMAN KNOTTS: Thank you, sir, for offering to serve. You must also understand that you cannot get any commitments for 48 hours after the report is released from this committee.

MR. JONES: Yes, sir.

MS. DERRICK: Mack Whittle, Jr.

SENATOR PEELER: Mr. Chairman, while they're coming up, when do you anticipate the report being filed with the committee.

MS. DERRICK: March 23rd is what we're looking at. And that's March 25th at noon.

SENATOR PEELER: But that's not final?

MS. DERRICK: Not final.

CHAIRMAN KNOTTS: It's not final --

MS. DERRICK: That's just what we're anticipating.

CHAIRMAN KNOTTS: -- until we present the resolution. The election on the 14th.

REPRESENTATIVE LITTLEJOHN: Is that possible to move that back to the 24th?

MS. DERRICK: We have to wait 48 hours. And we don't do a journal on Mondays.

REPRESENTATIVE LITTLEJOHN: I know we get out the 25th --

CHAIRMAN KNOTTS: We can move it on back to -- we'll discuss it later. Okay. If you will state your name for the record and --

**Mr. Mack I. Whittle, Jr.**

MR. WHITTLE: Mr. Chairman, members of the committee, my name is Mack Whittle. I reside at 500 Hidden Hills Drive, Greenville, South Carolina. I'm a registered voter at that address. My motor vehicles are registered at that address. And I pay four percent property tax at that address.

CHAIRMAN KNOTTS: Has anything changed since your last screening concerning your ability to serve on the board?

MR. WHITTLE: No, sir.

CHAIRMAN KNOTTS: Any medical problems that would prevent you?

MR. WHITTLE: No, sir.

CHAIRMAN KNOTTS: Okay. If any conflicts, would you -- should arise would you?

MR. WHITTLE: I would recuse myself.

CHAIRMAN KNOTTS: Okay. You hold any positions that create a dual office holding?

MR. WHITTLE: No, sir.

CHAIRMAN KNOTTS: Okay. All right. If you would please tell the committee briefly why you want to continue serving.

MR. WHITTLE: Yes, sir. I've been actively involved with the university and activities of the university since my graduation in 1971. I was elected chairman of the alumni association and served the entire alumni of the university. In that position, I served as ex-officio member of the board of trustees. I was elected to the board in 1990. My peers elected me vice-chairman of the board for four years. They subsequently elected me chairman of the board for four years. And I currently serve on the strategic planning committee, which is a new committee that the university has instituted to really look at this strategic direction of the university during these economic times that we're in. And I would like to continue to serve in that capacity.

CHAIRMAN KNOTTS: Okay. Any questions from any of the members. No questions. Do we have a motion?

REPRESENTATIVE MACK: Mr. Chairman, I have a motion that Mr. Whittle be found qualified.

CHAIRMAN KNOTTS: We now have a motion by Representative Mack. Do I have a second?

REPRESENTATIVE LITTLEJOHN: Second.

CHAIRMAN KNOTTS: And second by Representative Littlejohn. Any discussion? No discussion. We'll move into a vote. All if favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed? Let the record reflect it's unanimous. Thank you, sir.

MS. DERRICK: 16th Circuit, Mr. Alton Hyatt.

**Mr. Alton Hyatt**

MR. HYATT: Mr. Chairman, members of the committee. I'm Marvin Alton Hyatt, Jr. I go by Alton Hyatt. I reside at 2627 Carrolwood Drive, Rock Hill, South Carolina. That's where my driver's license is -- the address on my driver's license, voter registration, and where I receive the four percent residency exemptions.

CHAIRMAN KNOTTS: Okay. Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. HYATT: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. HYATT: Yes, sir.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that present a conflict of interest because of your service on the board? And if one should arise, what would be your position?

MR. HYATT: I do not have any conflicts at this time. If I did, if one did arise, I would recuse myself.

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

MR. HYATT: No, sir.

CHAIRMAN KNOTTS: Okay. Tell the board briefly why you want to serve.

MR. HYATT: My desire to serve USC has dated back to my days as undergraduate at USC. I served on the student council at USC Student Senate when I was in pharmacy school. I continued that on when I was in law school. I served on the cabinet for the student body president at USC my first year of law school. And I've just developed strong desire to serve USC. I also feel that my background in pharmacy would bring an asset to the board. Currently there are no pharmacists on the board. And that is an area of critical needs in the state of South Carolina. There's a tremendous shortage in the past of pharmacists. And I think that would be an asset to the university. My family has a long history of supporting the University of South Carolina both pharmacy school, and myself, I went into law school and pharmacy school. We have three graduates in my family. My father graduated from USC, my sister, and myself.

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

COMMITTEE: (No response.)

CHAIRMAN KNOTTS: Do I have a motion.

SENATOR PEELER: Move for a favorable report.

CHAIRMAN KNOTTS: A motion from the Senator from Cherokee with a favorable report. Second by --

REPRESENTATIVE WHITMIRE: Second.

CHAIRMAN KNOTTS: Properly seconded. Any discussion? No discussion. Move to a vote. All in favor of favorable report say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed? Let it be known that it's unanimous.

MR. HYATT: I appreciate your time.

CHAIRMAN KNOTTS: Thank you. Okay for the ones that we have just finished screening for the University of South Carolina.

MS. DERRICK: We have one more.

CHAIRMAN KNOTTS: I over looked that one. I am sorry. Would you please state your name for the record and --

**Ms. Leah B. Moody**

MS. MOODY: My name is Leah Moody. I reside at 840 Brunswick Drive, Rock Hill, South Carolina. My driver's license, my voter registration, and my four percent property tax all are at 840 Brunswick Drive.

CHAIRMAN KNOTTS: Do you have any health-related problems that the screening committee should be made aware that would prevent you from serving on the board in a full capacity?

MS. MOODY: No, sir, I do not.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MS. MOODY: I would.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that present a conflict of interest because of your service on the board? And if one should arise, what would be your position?

MS. MOODY: Your honor, I have no conflict of interest. And if one should arise, I would recuse myself.

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

MS. MOODY: No, sir, Your Honor. I mean chairman.

CHAIRMAN KNOTTS: Briefly explain to the committee why you want to serve.

MS. MOODY: Well basically, I was appointed and I would like to have opportunity to continue to serve through 2012. But more fundamentally, I feel that, you know, when you're given opportunity and you have to have some commitments and give back to the community. And I think that throughout my life, I've done that. I've done that throughout college. I've done that when I was here at the university school of law. And I continue to do that. I've served on various boards and committees. This opportunity is a new opportunity for me to serve. And it's been fairly challenging for me, for the simple fact that I had to get up to speed with the appointment. Currently I serve on the health affairs, the fiscal policy and student affairs committee. I've taken an active role in the board. I have injected myself into the business of the university in trying to understand what affects the university. As a person who comes from Rock Hill and my family is mainly a family of educators, I've had opportunity to see what is necessary for the state of South Carolina. I think that we have an issue where we need to provide access to people who live in counties like Union, Fairfield, Chester, and York counties. The first three, mainly, because of the areas. Just the jobs that are not there. They're not coming there. And if they're not educated, we can't draw business to those areas. So I think that the University of South Carolina Union has served those areas well. And I think all the regional campuses do as well. Since I've been on the board with learning the board members, getting to know the staff of the university, I've learned a lot. And I want to continue that opportunity into 2012.

CHAIRMAN KNOTTS: Okay. Any questions from any of these board members? Yes, sir. Representative Mack.

REPRESENTATIVE MACK: Mr. Chairman, I move that she be found qualified and nominated.

CHAIRMAN KNOTTS: We have a motion. Do we have a second?

SENATOR PEELER: Second.

CHAIRMAN KNOTTS: Second by the Senator from Cherokee. All in favor say -- any discussion? No discussion. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed? Let it be known that she has been nominated, qualified with a unanimous vote.

MS. MOODY: Thank you.

CHAIRMAN KNOTTS: Thank you. To the people who we have just screened for the University of South Carolina, I want to advise you, you cannot get any commitments until 48 hours after this committee issues its report. And if you do, that's in violation of state law. Y'all are now free to leave. Mr. Dylan Goff, please come forward.

MR. GOFF: Thank you, Mr. Chairman, members of the committee. My name is Dylan Ward Goff, currently a resident of 2822 Blossom Street, Columbia, South Carolina 29205. My homestead exemption and voter registration and car are registered at 207 Pitney Road, Columbia, South Carolina 29210. I moved three weeks ago. But I'm running for at-large seat and I do plan to take the homestead exemption on Blossom Street address as soon as my Lexington County house sells.

CHAIRMAN KNOTTS: All right. Mr. Goff, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

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

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend the board meetings on a regular basis?

MR. GOFF: Yes, sir, I would.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that would present a conflict of interest because of your service on the board? And if one should arise, what would be your position?

MR. GOFF: No, sir, I do not currently have any conflicts. And if I were to have one, of course, I would recuse myself.

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

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

CHAIRMAN KNOTTS: Can you briefly tell us why you want to serve?

MR. GOFF: First of all, I would like to thank the committee for moving my date from the 18th to the 25th. I was in Japan on active service with the National Guard for the previous two weeks. So thank you for that. And that's also part and parcel of why I want to serve. I'm a veteran of Operation Enduring Freedom in Afghanistan where I spent a year in some months in Afghanistan. There are no current members of the board who are veterans of the wars in Iraq, Afghanistan. I think it's very important that a military college have representation from the current generation of veterans. The Citadel for everyone here today is my alma mater a place that's very near and dear to my heart. I believe it made me the man who I am today. My father was a carpenter from Lexington County. My mother owns a small business here in Columbia. Neither one of them completed college. And now I'm an attorney and an officer in the National Guard. And I don't think that would have possible were it not for what I learned at The Citadel. It's tough times for The Citadel, like many other universities across the state. The Citadel has had to make very tough decisions. And I think if The Citadel were to cut any deeper, it would start to cut bone and meat. I don't think that there is any fat left to cut. But I do have ideas, and I think I can bring to the board about how to raise revenue and other sources that aren't being utilized at the moment. I think General Rosa, the president of The Citadel, has raised some very good ideas. I'd like to work with him on bringing that revenue to keep The Citadel experience open to all residents of South Carolina and for generations.

CHAIRMAN KNOTTS: Okay. Any questions from any members?

SENATOR PEELER: Move for a favorable report.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: I have a motion for a favorable report. And a second. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed? Thank you, sir.

MR. GOFF: Thank you.

CHAIRMAN KNOTTS: You're reminded you cannot seek commitments 48 hours after the report from this commission is released.

MR. GOFF: Yes, sir. Thank you, sir.

CHAIRMAN KNOTTS: We will now move to South Carolina State Board. I'd like to go into executive session to discuss a few things if we'll have a motion.

SENATOR PEELER: If so you desire, Mr. Chairman.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: A motion and second. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Okay. We're now in executive session. (Off the record.)

CHAIRMAN KNOTTS: This time we are going to go to Mr. Lumus Byrd, Jr. from South Carolina State University. Thank you, Mr. Byrd. You got a statement now?

**Mr. Lumus Byrd, Jr.**

MR. BYRD: Yes, I do. My name is Lumus Byrd. 105 Shellcreek Court, Clinton, South Carolina 29325.

CHAIRMAN KNOTTS: Excuse me just a moment, please. If y'all would. We can't hear. Okay. Go ahead Mr. Byrd.

MR. BYRD: My name is Lumus Byrd, Jr. 105 Shellcreek Court, Clinton, South Carolina 29325. My car is registered at that address, my voter registration is there and I pay four percent taxes at that address. I came today to share with you a withdrawal. And hopefully I can read this into the record and leave a copy.

CHAIRMAN KNOTTS: Yes, sir.

MR. BYRD: The Honorable Jake Knotts, Chairman, and Committee to Screen Candidates for the Board of Trustees. Dear Chairman Knotts: It is with regret that I respectfully withdraw my application for consideration to serve another term on the board of trustees at South Carolina State University. South Carolina State is my alma mater and I return to fulfill my promise and my commitment to share opportunities for change and transformation. Those two applications are currently a work in progress. In the meantime, I have been recruited to serve on the board of new school of pharmacy at Presbyterian College in Clinton, South Carolina. This new school is a cutting edge design and it's preparing to ensure a direction that will greatly benefit the health care of citizens in South Carolina and in the nation. While I enjoyed serving my term as trustee in South Carolina State University, this invitation provides me with a unique and transformative opportunity to serve my fellowman. An opportunity in education, an opportunity in service, and an opportunity in scholarship. I want to thank you and the committee for allowing me to serve as trustee at South Carolina State University. Sincerely, Lumus Byrd.

CHAIRMAN KNOTTS: Thank you, Mr. Byrd. And we appreciate your service on the board at South Carolina State. Any other committee members with questions or --

SENATOR ALEXANDER: And also, Mr. Chairman, we wish you well in your service on the new board up there. It sounds like an exciting opportunity for you.

MR. BYRD: Thank you.

CHAIRMAN KNOTTS: Any other member? Thank you, Mr. Byrd. We'll except your withdrawal letter. Okay.

MS. DERRICK: Mr. Robert L. Waldrep, Jr.

**Mr. Robert L. Waldrep, Jr.**

MR. WALDREP: Mr. Chairman, members of the committee. My name is Robert Waldrep. I live in 2703 Jackson Square in Anderson, South Carolina. This is where I have my four percent tax assessment, my home, my voter registration, and my driver's license all listed at that particular address.

CHAIRMAN KNOTTS: Okay. Senator Waldrep, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. WALDREP: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MR. WALDREP: I would, sir.

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

MR. WALDREP: I do not.

CHAIRMAN KNOTTS: If one should arise, what would be your position?

MR. WALDREP: I would recuse myself.

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

MR. WALDREP: I do at this time. Mr. Chairman, I will resign. I now serve on the Anderson County Council and I would resign.

CHAIRMAN KNOTTS: Thank you. Tell us why you want to serve on the board.

MR. WALDREP: Mr. Chairman, thank you. I appreciate your patience in going through this long hearing. I have certain history, I guess you might say, of service to my county and to my state. And certainly in education as well. I served for 10 years as attorney for the County Board of Education, Anderson County. And when I was in the Senate, I served at least 8 years on the education committee. I have a great fondness, interest in this state. And certainly the young people that are coming up in the state. South Carolina State is a very unique university in this state. And I think that it is an opportunity for me to certainly serve and to give back as everyone that you've heard say today. That we're all interested in contributing back to our state. I've had a good bit of experience with budgets on the state level and on the county level, and even on the city level in Anderson County. And I think that some of the talent, if I have any gifts at all, would be of service to South Carolina State. I'm willing to do that. I'm willing to devote time to do it. I'm honored to have the opportunity to do it. And I just ask for your consideration for this opportunity.

CHAIRMAN KNOTTS: Does any members of the commission have any questions?

SENATOR PEELER: You want off the county council that bad?

MR. WALDREP: Well, Senator Peeler --

SENATOR PEELER: As a former county councilman, I could answer that. Mr. Chairman, if there are no other questions or comments I move a favorable report on the candidate.

CHAIRMAN KNOTTS: I will -- if they're not any other questions? No other questions, I have a motion. Do I have a second?

REPRESENTATIVE LITTLEJOHN: Second.

CHAIRMAN KNOTTS: I have a motion and then properly seconded by Representative Littlejohn. Any discussion? No discussion, we'll take a vote. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed? Let it be known that it's unanimous.

MR. WALDREP: Thank you.

CHAIRMAN KNOTTS: Thank you for your willingness to serve.

MR. WALDREP: Yes, sir.

CHAIRMAN KNOTTS: You may leave now, but I'm going to advise you, and I'm sure you're aware of that you cannot receive a commitment until 48 hours after the screening commission issues the report.

MR. WALDREP: Yes, sir. Okay.

CHAIRMAN KNOTTS: Thank you. Good luck.

MS. DERRICK: At-large, Seat 7, Mr. Roger Leaks, Jr.

**Mr. Roger Leaks, Jr.**

MR. LEAKS: Mr. Chairman, committee, thank you. My name is Roger Leaks, Jr. I live at 4519 Robney Drive, Columbia, South Carolina 29209. My driver's license is registered at that address. My voter registration is at that address. And my four percent sales tax is paid at that address.

CHAIRMAN KNOTTS: If you would, do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MR. LEAKS: No, sir.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

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

MR. LEAKS: No, sir.

CHAIRMAN KNOTTS: If one should arise, what would be your position?

MR. LEAKS: I would recuse myself.

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

MR. LEAKS: No, sir.

CHAIRMAN KNOTTS: Briefly tell us why you would like to serve.

MR. LEAKS: Well, that's first -- that's my alma mater. And I'm very proud of South Carolina State University. And if I'm elected to the board of trustees, I think I could bring a special bit of harmony, focus, maturity and also, trust, to the board. And I'd like to do that because we need an additional ray of those characteristics. And I further think that I could help with fund-raising because we need fund-raising drastically at South Carolina State University as well as most institutions, I would imagine. But we need it especially there. And I would work with student recruitment. I think that would be a good area that we could help, that I could help in. And I would try to energize our alumni because our alumni would be one of the key focus of helping in the fund-raising. Right now, I hope we're not airing dirty linen, but right now, we have only eight percent of our alumni that give back to the university. And 92 percent aren't doing anything. So I want to work in those areas if given the opportunity. So that concludes, you know, that's my reason.

CHAIRMAN KNOTTS: Thank you, sir. Any members of the committee have a question?

SENATOR PEELER: Move for a favorable report.

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

REPRESENTATIVE WHITMIRE: Second.

CHAIRMAN KNOTTS: I have a second. All in favor in say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: Let it be known it's unanimous.

MR. LEAKS: Thank you.

MS. DERRICK: At-large, Seat 9. Earl A. Bridges, Jr.

**Mr. Earl A. Bridges, Jr.**

CHAIRMAN KNOTTS: How are you doing Mr. Bridges? Thank you.

MR. BRIDGES: My name is Earl A. Bridge, Jr. I reside at 8612 Wild Bird Court, North Charleston, South Carolina. That is my legal permanent address. That is where I pay the four percent sales tax rate. My driver's license reflects that address as well as my voter registration card.

CHAIRMAN KNOTTS: Your driver's license, voter registration and everything registered to that address?

MR. BRIDGES: Yes, sir.

CHAIRMAN KNOTTS: And four percent tax.

MR. BRIDGES: Yes, sir.

CHAIRMAN KNOTTS: Okay. Explain to us why you wish to be re-elected.

MR. BRIDGES: I've certainly enjoyed my service on the board. I was elected in 2006. Education has always been something that has been near and dear to my heart -- the furtherance of education, which is why I sought to be elected to the board initially. While I've never been a full-time educator, I had a time that when I practiced law many years ago, I did serve as a university level instructor. And again, that was a truly rewarding experience. And I understand certainly the value for education for the furtherance of it. I've enjoyed the service on the board. I'd like to think that I brought some talents that have been useful in establishing policy and in the governance of the board. And I just would like an opportunity to continue that service.

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

SENATOR PEELER: I move for favorable report.

CHAIRMAN KNOTTS: I've got a question for him if you would hold --

SENATOR PEELER: I'll repose.

CHAIRMAN KNOTTS: Mr. Leaks, I noticed that --

MR. BRIDGES: I'm Bridges. I'm sorry.

CHAIRMAN KNOTTS: I mean Mr. Bridges, I noticed that your expenses was January 1st, '07 to June 30th was like $1,237.51 for per diem and travel.

MR. BRIDGES: From what time period, sir? From last year?

CHAIRMAN KNOTTS: A period of January 1st, '07 to June 30th, '07.

MR. BRIDGES: Could be. Yeah.

CHAIRMAN KNOTTS: Where do you live?

MR. BRIDGES: I live in Charleston and I have business in Spartanburg.

CHAIRMAN KNOTTS: Okay. So you live in Spartanburg and you drive back and forth to the university?

MR. BRIDGES: I have been for two and a half years.

CHAIRMAN KNOTTS: Okay.

MR. BRIDGES: Yes. Yes.

CHAIRMAN KNOTTS: That sounds reasonable.

MR. BRIDGES: Yes. I was commuting. Like I said, my home is Charleston, but I was in Spartanburg during the week at my business.

CHAIRMAN KNOTTS: Does any member have a motion?

SENATOR PEELER: I'll renew my motion.

CHAIRMAN KNOTTS: Renew your motion of favorable report. Any questions? Any second?

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: A second by Representative Mack. Any discussion? No discussion? We'll go to a vote. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: All opposed? Aye's have it. Thank you, sir.

MR. BRIDGES: Thank you.

CHAIRMAN KNOTTS: And you cannot get a commitment until 48 hours after this committee issues its report.

MR. BRIDGES: I understand completely. Thank you.

MS. DERRICK: Patricia Lott.

**Ms. Patricia Lott**

SENATOR PEELER: Mr. Chairman, while Ms. Lott is coming up, I am going to have to leave. Could I leave my proxy and Senator McGill's proxy with Senator Alexander?

CHAIRMAN KNOTTS: Sure.

SENATOR PEELER: Thank you, sir. Appreciate that.

CHAIRMAN KNOTTS: Okay. Ms. Lott, state your name, where you live, where you're registered to vote, and where your driver's license is and all.

MS. LOTT: Yes, sir. My name is Patricia B. Lott. I reside at 755 Five Chop Road, Orangeburg, South Carolina. My driver's license has the same address. My voter registration has the same address as well. I pay four percent taxes at the same address.

CHAIRMAN KNOTTS: Okay. Do you have any health-related problems that the screening committee should be made aware of that would prevent you from serving on the board in a full capacity?

MS. LOTT: No, sir. I do not.

CHAIRMAN KNOTTS: Considering your present occupation and other activities, would you be able to attend board meetings on a regular basis?

MS. LOTT: Yes, sir.

CHAIRMAN KNOTTS: Do you have any interests professionally or personally that prevent a conflict of interest because of your service on the board? And if a conflict should arise, what would be your position?

MS. LOTT: I have none at the present. And if it should, then I would remove myself from any discussion or vote.

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

MS. LOTT: No, sir.CHAIRMAN KNOTTS: Okay. Briefly explain to the committee why you wish to serve?

MS. LOTT: Thank you. I'm sure you're wondering why I'm standing before you again today seeking a seat on the board of trustees at South Carolina State University. I am a proud 1963 and 1979 graduate of South Carolina State. Both my children, also proud graduates. I consider myself a loyal daughter as stated in our alma mater, with a deep commitment to work on behalf of the university and spread the good news of our premier university. I've been an active member of our national alumni association for over 30 years and have held positions on the local level, secretary, treasurer and president. And on the national level as first vice president, and now the immediate past president for the last four years. As a loyal daughter of my alma mater, I have served on numerous committees over the years and records will indicate that I have given back financially for a number of years to the scholarship gala, First Lady Luncheon, as a season ticket holder, and as a state club member just to name a few. During my tenure as national president, I served on the board as an ex-officio member. May I state that I was only absent from one regular meeting during my four-year term and one day of committee meetings. You see, I believe that attendance to meetings is crucial, along with attendance to special events such as commencement and Founder Day. With these experiences, my knowledge of the university and its constituents and my relationship with alumni, I feel all make me uniquely qualified to serve as a regular voting member of the South Carolina State University Board of Trustees. Also, as a veteran educator, I am very knowledgeable of educational trends and best practices. My experiences gained in leadership positions gives me an inroad of knowledge to the responsibilities that the Southern Association of Colleges and Schools require as relating to governments. To serve as a regular voting member of the board of trustees would be a honor and another way in which I can continue to give back to my alma mater, sing its praises and rally to its call. This is my personal testimony as to why I feel qualified and wish to serve my alma mater in this role. I appreciate the opportunity to speak before you all this afternoon.

CHAIRMAN KNOTTS: Okay. Any member have a question? How long have you served on the board, Ms. Lott?

MS. LOTT: Four years during my tenure as a national alumni president.

CHAIRMAN KNOTTS: You were elected in '06 with Glenn Stable?

MS. LOTT: I came as an ex-officio member in '05. My term just ended as ex-officio president in July of. '09.

CHAIRMAN KNOTTS: Did you -- were you ever reimbursed for flying or going to any football games?

MS. LOTT: By the university?

CHAIRMAN KNOTTS: Yes, ma'am.

MS. LOTT: No, sir.

CHAIRMAN KNOTTS: Okay. How about any other travel?

MS. LOTT: No, sir.

CHAIRMAN KNOTTS: Okay. Thank you. Do I have a motion?

REPRESENTATIVE WHITMIRE: Move for a favorable report.

REPRESENTATIVE MACK: Second.

CHAIRMAN KNOTTS: I have a motion and a second. Any discussion? No discussion. We'll go to a vote. All in favor say, "Aye."

COMMITTEE: Aye.

CHAIRMAN KNOTTS: And that was the proxies?

SENATOR ALEXANDER: Yes, sir.

CHAIRMAN KNOTTS: And let it be unanimous.

MS. LOTT: Thank you.

CHAIRMAN KNOTTS: Thank you, Ms. Lott. And I just want to remind you that you cannot seek any commitments for 48 hours after the committee issues its final report.

MS. LOTT: Yes, sir.

CHAIRMAN KNOTTS: Okay.

MS. DERRICK: Isiah, Reese. He's not here.

CHAIRMAN KNOTTS: Isaiah Reese is not here. Have you heard from him?

MS. DERRICK: I got confirmation, but something must have happened. I will contact him.

CHAIRMAN KNOTTS: What's the pleasure of the board since he's not here? I would suggest we have staff contact him, find out the reason, and report back to us. Next.

MS. DERRICK: That's it.

CHAIRMAN KNOTTS: Is that it?

MS. DERRICK: Yes, sir.

CHAIRMAN KNOTTS: Is anybody else here that applied that hadn't been heard? Okay. Thank you very much for your time.

COMMITTEE: Thank you, Mr. Chairman. (Adjourned at 5:16 p.m.)

Received as information.

**REPORT RECEIVED**

The following was received:

**Joint Transportation Review Committee**

**2009 Report of Candidate Qualifications**

Date Initial Report Issued: Tuesday, June 9, 2009

Date and Time

Report Becomes Final\*: Noon on Thursday, June 11, 2009

**Delegation members are not free to pledge their votes until Thursday, June 11, at noon.**

\*Unless members are otherwise notified, report becomes final at noon on Thursday, June 11, 2009.

**INTRODUCTION**

 Act 114 of 2007 was enacted to restructure the South Carolina Department of Transportation and the Department of Transportation Commission. Reforms were written to make the department and commission more accountable to the public, more transparent in their operations, and more equitable in their delivery of services.

 A key component of Act 114 was the formation of the Joint Transportation Review Committee. The JTRC’s primary responsibility is to consider the qualifications of applicants for the Department of Transportation Commission and to determine whether the applicants meet the statutory criteria for commissioners.

 **This report contains the committee’s initial findings regarding the qualifications of applicants for the commission’s Third District seat.**

**Committee Composition and Responsibilities**

 The JTRC is comprised of ten members, eight of whom are legislators and two of whom are appointed from the public at-large. To fulfill its mandate, the committee conducts an investigation of each applicant’s professional, personal, and financial affairs, and holds a public hearing during which each applicant may be questioned on a wide variety of issues.

 The committee expects each applicant to demonstrate a level of education and/or education commensurate with the duties and responsibilities of a commissioner and to exhibit strong ethical standards. The committee’s investigation focuses on whether the applicant meets the qualifications for service on the commission as established in Section 57-1-310(C):

 The qualifications that each commission member must possess, include, but are not limited to:

 (1) a baccalaureate or more advanced degree from:

 (a) a recognized institution of higher learning requiring face‑to‑face contact between its students and instructors prior to completion of the academic program;

 (b) an institution of higher learning that has been accredited by a regional or national accrediting body; or

 (c) an institution of higher learning chartered before 1962; or

 (2) a background of at least five years in any combination of the following fields of expertise:

 (a) transportation;

 (b) construction;

 (c) finance;

 (d) law;

 (e) environmental issues;

 (f) management; or

 (g) engineering.

 The JTRC’s investigation includes (1) a State Law Enforcement Division background check, (2) a credit investigation, (3) a careful study of application materials, including a comprehensive personal data questionnaire, (4) a test of basic knowledge related to the Department of Transportation and the commission, (5) a personal interview with each candidate, and (6) further inquiry as the committee considers appropriate. The interview provides an applicant with the opportunity to discuss the specifics of his or her application and to amend application materials if needed. The interview also provides the JTRC with the opportunity to discuss routine questions related to ethical matters, the applicant’s familiarity with the operations of the commission, the relationship between state, local, and regional transportation authorities, and general transportation issues in South Carolina. The interview also allows the committee to gauge the applicant’s depth of experience and temperament.

**About the Report**

 Each member of the General Assembly residing in the Third Congressional District will be provided a copy of this report for review and consideration. The committee believes that this report will help each member make a more fully informed vote.

 An applicant has 48 hours after the initial release of this report to request non-substantive corrections. **This report represents the JTRC’s findings, pending any corrections. Corrections, if any, will be distributed immediately upon availability.**

The JTRC will then release the final report of all qualified candidates to resident members of the Third District. **No member of the congressional district delegation may pledge his or her vote to elect a candidate until after noon on Thursday, June 11, 2009.**

 Upon release of this report, and any corrections, the JTRC’s responsibilities related to candidate screening are completed.

**Election of Commission Members**

 A candidate may withdraw at any stage of the proceedings. **Resident members of the Third District may meet to elect a commissioner to represent their district at any time after noon on Thursday, June 11, 2009.**

 **Pursuant to Section 57-1-325 congressional delegations must hold a duly called, public meeting to elect a Department of Transportation Commissioner. Signing a ‘pledge-sheet’ does not constitute a vote in favor of a candidate nor does it replace the statutory requirement for a meeting.**

 For purposes of electing a commission member:

* Legislators residing in the congressional district shall meet upon written call of a majority of the members of the delegation of each district, at a time and place to be designated in the call.
* A majority present, either in person or by written proxy, of the delegation constitutes a quorum for purposes of electing a commissioner.
* No person may be elected commissioner who fails to receive a majority of the vote of the members of the delegation.
* When the election is completed, the chairman and secretary of the delegation shall immediately transmit the name of the elected person to the Secretary of State who will then issue a commission.

**Joint Transportation Review Committee**

|  |  |
| --- | --- |
| **Senate Appointees:** | **House Appointees:** |
| **Senator Lawrence K. Grooms, Ch.** (2007)Suite 203, Gressette BuildingPost Office Box 142Columbia, S.C. 29202803-212-6400  | **Representative Jay Lucas, Vice Ch.** (2007)420-A Blatt BuildingColumbia, S.C. 29201803-734-2961  |
| **Senator Hugh K. Leatherman, Jr.** (2007)Suite 111, Gressette BuildingPost Office Box 142Columbia, S.C. 29202803-212-6640  | **Representative Annette Young** (2007)308 - C Blatt BuildingColumbia, S.C. 29201803-734-2953 |
| **Senator Glenn F. McConnell** (2007)Suite 101, Gressette BuildingPost Office Box 142Columbia, S.C. 29202803-212-6610 | **Representative Phillip D. Owens** (2009)429 Blatt Bldg., Columbia, 29201Columbia, S.C. 29201803-734-3053 |
| **Senator Harvey S. Peeler, Jr.** (2009)Suite 213, Gressette BuildingPost Office Box 142Columbia, S.C. 29202803-212-6430 | **Mr. Robert Harrell, Sr.** (2007)4708 Gibson RoadMeggett, S.C. 29449843-889-3917 |
| **Senator Gerald Malloy** (2007)512 Gressette BuildingPost Office Box 142Columbia, S.C. 29202803-212-6148 | **Mr. Reid Banks** (2007) Post Office Box 71505Charleston, S.C. 29415843-744-8261 |

**Joint Transportation Review Committee**

**Post Office Box 142**

**1101 Pendleton St., Gressette Building – Suite 203**

**Columbia, S.C. 29202**

Chief of Staff: David J. Owens

803-212-6400

Senate Counsel: Kenneth M. Moffitt

803-212-6203

House Counsel: Rick Fulmer

803-734-4799

Executive Assistant: Lily Cogdill

803-212-6400

**OVERVIEW**

 The Joint Transportation Review Committee investigated commission applicants for their suitability for service. On June 3, 2009, the committee screened applicants and found that the following individuals meet the qualifications prescribed by law:

**Third District**

 **Mr. Roy E. “Eddie” Adams**

 **Mr. J. Phillip Bowers**

 **Mr. Charles C. Eberhart**

 **Mr. C. Douglas Finney**

 **Mr. Edward H. “Ed” Martin**

**MR. ROY E. “EDDIE” ADAMS**

**CANDIDATE FOR COMMISSIONER**

**OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION**

**THIRD DISTRICT**

**COMMITTEE FINDING: QUALIFIED**

**PERSONAL INFORMATION:**

Mr. Adams is 41 and lives in Seneca. He is President of the Lowry Oil Company, which includes five retail gasoline locations. He is a member of the Board of Directors of the South Carolina Petroleum Marketers Association, and has real estate interests. Mr. Adams is also Chairman of the Oconee County Republican Party. He is married to Christina Theos Adams and has two sons.

**QUALIFICATIONS:**

**Education:** The Citadel, B.S., Business Administration, 1989.

**Areas of expertise:** Mr. Adams claims qualifying experience in the following statutory areas:

**Transportation:** Mr. Adams oversees the transport and distribution of petroleum products for his company, Lowry Oil. He has a commercial driver’s license, drives company trucks and tankers on occasion, and has a general familiarity with the trucking industry.

**Management:** Mr. Adams employs and manages 29 people as president of Lowry Oil. He is a partner in Two Lake Dogs LLP, a real estate management company, and is a partner in Each LLP, a real estate development company. He also worked in a management position with Adams Oil Company from 1990-1991.

**OTHER:**

Mr. Adams demonstrated a general knowledge of transportation issues, particularly related to trucking. He reported a solid background in accounting and claimed to have a strong work ethic.

**CHARACTER:**

Mr. Adams seems to have handled his personal financial affairs responsibly. He answered most questions fully on the personal data questionnaire and gave sufficient responses when asked to elaborate on those questions and others during staff interviews.

**PHYSICAL HEALTH:**

Mr. Adams seems to be physically capable of performing the duties of the office.

**LETTERS OF RECOMMENDATION:**

 Mr. John H. Lummus - Tri-County Technical College, Pendleton

 Ms. Jeanne L. Ward, R.N., Ed.D. - Oconee Medical Center, Seneca

 Dr. Amon A. Martin, Jr. - Seneca

 Mr. Rick Beasley - Carolina Bank & Trust Company, Darlington

 The Honorable Gresham Barrett - Member of Congress, Westminster

**ADDITIONAL INFORMATION:**

Mr. Adams reported the need to identify long-term, stable sources of funding to meet SCDOT’s needs, noting poor road conditions across the State and the resulting wear and tear on trucks and equipment. He reported he has no day-to-day interaction with the SCDOT or the commission and does not expect any future interaction unless he was to build a new gas station that required permitting. Mr. Adams advised the committee that he owns a seven percent stake in a cement company that does not contract with, or sell to, the DOT. He stated he would recuse himself from voting in the event a conflict arose.

Mr. Adams testified he was aware of the statutory prohibition on members pledging votes until after the release of the committee’s final report. Mr. Adams testified he has neither sought nor received the pledge of any legislator prior to screening; has neither sought nor been offered a conditional pledge of support by any legislator; and has not asked third persons to contact legislators in request of support prior to screening.

**CONCLUSION:**

The committee finds Mr. Adams qualified and reports him to the resident members of the Third District Delegation for consideration.

**MR. JAMES PHILIP BOWERS**

**CANDIDATE FOR COMMISSIONER**

**OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION**

**THIRD DISTRICT**

**COMMITTEE FINDING: QUALIFIED**

**PERSONAL INFORMATION:**

Mr. Bowers is 48 and lives in Pickens. A Technical Support Supervisor for Duke Energy, he holds a Master’s Degree in Human Resources. He has worked for the company since 1981 and currently is responsible for overseeing several large-scale construction projects. Mr. Bowers is married to Marsha Lynn Branham Bowers and has one son.

Mr. Bowers also represents the Thirteenth Judicial Circuit on the State Board of Education, a position he states he would resign if elected to the commission.

**QUALIFICATIONS:**

**Education:** Tri-County Technical College, A.S., Industrial Maintenance, 2004; Limestone College, B.A., Human Resources, 2006; Southern Wesleyan University, B.S., Business Administration, 2006; Clemson University, Master’s Degree, Human Resources Development, 2008.

**Areas of expertise:** Mr. Bowers claims qualifying experience in the following statutory areas:

**Transportation:** Mr. Bowers was a member of the Greenville-Pickens Area Transit Study (GPATS), representing the Pickens County Planning Commission. He noted that work done on the commission related to the approval and planning of infrastructure projects. He serves on the GPATS 2025 Committee.

**Construction:** In the 1980’s Mr. Bowers worked for Southern Construction and Engineering and was involved in the construction of Lake Keowee’s intake structure for the Greenville Water System. Currently, Mr. Bowers oversees a contract organization that does heavy construction for Duke Energy.

**Management:** Mr. Bowers assists in managing 24 direct-report contractors and 200 indirect contractors. He manages technical staff in support of three construction projects at the Oconee Nuclear Site that together total more than $200 million.

**Engineering:** Mr. Bowers has worked in and around engineering organizations for over 20 years. He reports his duties included resolution of complex technical problems associated with operating large power generating facilities.

**OTHER:**

Mr. Bowers serves on the Industrial Maintenance Advisory Board of Tri-County Technical College. He and his wife own various real estate interests. Mr. Bowers is President of the Six Mile Lions Club.

**CHARACTER:**

The committee’s investigation did not reveal anything to call Mr. Bowers’ character into question. He seems to have handled his personal financial affairs responsibly. Mr. Bowers fully answered all questions asked, both on the personal data questionnaire and during staff interviews.

**PHYSICAL HEALTH:**

Mr. Bowers appears to be physically capable of performing

duties of the office.

**LETTERS OF RECOMMENDATION:**

Dr. Stephen Holler - Grace United Methodist Church,

Pickens.

Lt. Col. Rick Simmons - Pickens County Veterans Affairs

Office, Pickens

Chief Butch Womack - City of Easley Fire Department, Easley

Dr. DeWitt Boyd Stone, Jr. - Pickens County Planning

Commission, Pickens

Mrs. Sheree L. Chapman - Pickens County Planning

Commission, Pickens

**ADDITIONAL INFORMATION:**

Mr. Bowers stated that he enjoys structured work and long-term planning and suggested he would bring a measured, methodical work approach to the commission, if elected. He cited bridge safety as an issue that the State must address and stated he had a general familiarity with mass transit proposals on a local level. He suggested the SCDOT needs improved long-range planning.

Mr. Bowers testified he was aware of the statutory prohibition on members pledging votes until after the release of the committee’s final report. He further testified he has neither sought nor received the pledge of any legislator prior to screening; has neither sought nor been offered a conditional pledge of support by any legislator; and has not asked third persons to contact legislators in request of support prior to screening.

**CONCLUSION:**

The committee finds Mr. Bowers qualified and reports him to the resident members of the Third District Delegation for consideration.

**MR. CHARLES CHRISTOPHER EBERHART**

**CANDIDATE FOR COMMISSIONER**

**OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION**

**THIRD DISTRICT**

**COMMITTEE FINDING: QUALIFIED**

**PERSONAL INFORMATION:**

Mr. Eberhart is 39 and lives in Belton. A civil engineer and registered land surveyor, he owns C.E. Property Solutions, LLC, a civil engineering and surveying firm employing five people in Belton. The company offers boundary, topographic, ALTA, GPS, wetland and natural resources surveys, construction staking, and other surveys. Engineering services include the design and permitting and construction management of private residential and mixed-use developments, as well as commercial and industrial projects.

Mr. Eberhart’s company also designs water and sewer systems and construction management services for the projects the company designs. He is also a licensed real estate agent and licensed residential builder. He is married to Sharon Beck Eberhart and has one daughter.

**QUALIFICATIONS:**

**Education:** The Citadel, 1988; Clemson University, B.S., Engineering, 1994; USC Apogee Program, 1996.

**Areas of expertise:** Mr. Eberhart claims qualifying experience in the following statutory areas:

**Transportation:** Mr. Eberhart has previously been involved in planning, designing, and constructing public and private roads. He is also familiar with transportation studies and upgrades of roads and intersections as part of the permitting process.

**Construction:** Mr. Eberhart has been involved in the construction of roads, commercial, municipal and residential projects. His engineering and surveying work includes design, permitting and construction management.

**Environmental:** As a civil engineer, he reports experience in environmental site assessments, as well as the acquisition of various types of environmental regulatory permits since 1994. Mr. Eberhart cites experience in the design of wastewater, stormwater, and drinking water infrastructure, as well as permitting and construction.

**Management:** Mr. Eberhart managed projects and design teams in the design and construction of various projects. He reports that he has responsibility for management of all aspects of C.E. Property Solutions.

**Engineering:** Mr. Eberhart reports experience with a civil engineering and surveying firm on private and municipal projects and further experience in transportation and water resources engineering, land planning and surveying.

**OTHER:**

Mr. Eberhart demonstrated a familiarity with the Council of Government’s process as it relates to SCDOT, having worked with his local Appalachian COG in planning. His continuing education includes courses in construction lien law, stormwater management, FEMA elevation certificates, GPS, copyrights and surveyors, applied low impact development, real estate investment and taxation, and others. He was President of the Northwest Chapter of the S.C. Society of Professional Land Surveyors and is a member of the American Society of Civil Engineers, the S.C. Association of Realtors, and other professional organizations.

**CHARACTER:**

The committee’s investigation did not reveal anything to call Mr. Eberhart’s character into question. He seems to have handled his personal financial affairs responsibly. Mr. Eberhart fully answered all questions asked, both on the personal data questionnaire and during staff interviews.

**PHYSICAL HEALTH:**

Mr. Eberhart appears to be physically capable of performing the duties of the office.

**LETTERS OF RECOMMENDATION:**

 Mr. Jack Shaw - Shaw Resources, Greenville

 Mr. Hugh Durham - Coldwell Banker Hugh Durham and

 Associates, Anderson

 Mr. T. Walter Brashier - T. Walter Brashier & Associates,

 Greenville

 Mr. Henry C. Harrison - American Services, Inc., Greenville

 Mr. R.D. Garrett - R.D. Garrett & Associates, Anderson

**ADDITIONAL INFORMATION:**

Mr. Eberhart demonstrated a general familiarity with state transportation issues. He stated that he would recuse himself from voting on the commission should any potential conflict of interest arise related to his business.

Mr. Eberhart testified that he was aware of the statutory prohibition on members pledging votes until after the release of the committee’s final report. He further testified that he has neither sought nor received the pledge of any legislator prior to screening; has neither sought nor been offered a conditional pledge of support by any legislator; and has not asked third persons to contact legislators in request of support prior to screening.

**CONCLUSION:**

The committee finds Mr. Eberhart qualified and reports him to the resident members of the Third District Delegation for consideration.

**MR. C. DOUGLAS FINNEY**

**CANDIDATE FOR COMMISSIONER**

**OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION**

**THIRD DISTRICT**

**COMMITTEE FINDING: QUALIFIED**

**PERSONAL INFORMATION:**

Mr. Finney is 64 and lives in Pickens. He retired in 2000 as a Supervisory Readiness Analyst, USAR Readiness Command, Fort Jackson, where he was responsible for evaluating the readiness of US Army Reserve units to mobilize and deploy, performing analysis of personnel, logistics and training systems, and recommending proposals to enhance the readiness of high priority units. He reports he supervised both civilian and military personnel.

Mr. Finney served in the U.S. Army, transferring to the U.S. Army Reserve in 1969, and retiring as a Lieutenant Colonel in 1995. He has two grown children and is married to Margaret Owen Finney. Mr. Finney is active in the American Legion, serving as Local Post Commander. He received the Legion of Merit award upon his retirement from the Reserve.

**QUALIFICATIONS:**

**Education:** Furman University, 1963-1966; Lander College, 1974-1977; University of South Carolina, B.S., Business, 1979; U.S. Army Officer School, commissioned Second Lieutenant, 1967; Command and General Staff College, 1981-1982.

**Areas of expertise:** Mr. Finney claims qualifying experience in the following statutory areas:

**Finance:** As Resource Management Officer for the 120th U.S. Army Reserve Command, he managed the overall command operating budget and Force Structure Program, which included mission and base operations funding. He provided budgeting and ensured internal control systems were developed, and supervised staff in budget analysis, accounting and pay administration.

**Management:** Supervisory duties as resource management officer included management analysis of force structure and force modernization.As supervisory readiness analyst, he assumed administrative duties related to work planning and prioritization of projects. His earlier administrative responsibilities for military also included management duties.Mr. Finney was employed by Alice Manufacturing Company from 1969 to 1973, where he oversaw various employees in the production and manufacturing of cloth.

**OTHER:**

As maintenance officer of a chemical group while in the Army, he stated he supervised operations that included construction of certain roads. Mr. Finney also is a member of the Pickens Rotary Club and the Ambler Elementary School Improvement Council in Pickens.

**CHARACTER:**

The committee’s investigation did not reveal anything to call Mr. Finney’s character into question. He seems to have handled his personal financial affairs responsibly, and he fully answered all questions asked, both on the personal data questionnaire and during staff interviews.

**PHYSICAL HEALTH:**

Mr. Finney appears to be physically capable of performing the

duties of the office.

**LETTERS OF RECOMMENDATION:**

 Ms. Brenda T. Brannock - Pickens

 Ms. Kathy Brazinski - A.R. Lewis Elementary School,

 Pickens

 Mr. Kenneth D. Acker - The Acker Firm, P.A., Pickens

 Mr. Marion Lawson - Pickens High School, Pickens

 Mr. Joseph W. Board - Pickens

**ADDITIONAL INFORMATION:**

Mr. Finney stated a desire to give back to his State and said he would invest a large portion of his time to the DOT Commission if elected. He stated his organizational skills, familiarity with personnel issues, and background in finance would be assets to the commission.

Mr. Finney owns a number of rental and investment properties. He stated he had no current business-related interaction with the SCDOT, and that he would recuse himself should a conflict arise.

Mr. Finney testified that he was aware of the statutory prohibition on members pledging votes until after the release of the committee’s final report. He further testified that he has neither sought nor received the pledge of any legislator prior to screening; has neither sought nor been offered a conditional pledge of support by any legislator; and has not asked third persons to contact legislators in request of support prior to screening.

**CONCLUSION:**

The committee finds Mr. Finney qualified and reports him to the resident members of the Third District Delegation for consideration.

**MR. EDWARD HENRY MARTIN**

**CANDIDATE FOR COMMISSIONER**

**OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION**

**THIRD DISTRICT**

**COMMITTEE FINDING: QUALIFIED**

**PERSONAL INFORMATION:**

Mr. Martin is 46 and lives in Central. He is President of MST Concrete Products, Inc. The 70-employee company manufactures pre-cast concrete products, including manholes, catch basins, wet wells, and utility vaults. He is Chairman of the Pickens County Transportation Committee (CTC), a position he said he would resign if elected to the Commission. Mr. Martin is married to Karen Galloway Alewine and has three children.

**QUALIFICATIONS:**

**Education:** Tri-County Technical College, Associate’s Degree in Civil Engineering Technology, 1982.

**Areas of Expertise:** Mr. Martin claims qualifying experience in the following statutory areas:

**Transportation:** Mr. Martin is Chairman of the Pickens CTC and is a member of the Greenville-Pickens Area Transit Study. He holds a commercial driver’s license.

**Construction:** Mr. Martin has a general contractor’s license, and was active in construction from 1986-1996.

**Management:** As President and Managing Partner of MST Concrete, he manages employees who help run the company’s daily operations.

**Engineering:** Mr. Martin was employed by Dravo-Groves as a field engineer. He also worked as part of a field engineering crew with Duke Power Company.

**OTHER:**

Mr. Martin has taken a number of continuing education courses during the past five years relating to his business as well as service on the Pickens CTC. He serves on the Clemson Area Chamber of Commerce Board of Directors and the Southern Wesleyan University Board of Visitors. He is active in various trade organizations and other civic, religious and fraternal organizations. Mr. Martin was a candidate for Pickens County Council in 2002 and 2006.

**CHARACTER:**

The Committee’s investigation did not reveal anything to call Mr. Martin’s character into question. He seems to have handled his personal financial affairs responsibly and he fully answered all questions asked, both on the personal data questionnaire and during staff interviews.

**PHYSICAL HEALTH:**

Mr. Martin appears to be physically capable of performing the

duties of the office.

**LETTERS OF RECOMMENDATION:**

 Mr. Richard E. Cotton - City of Clemson

 Mr. David J. Spittal, Ed.D. - Southern Wesleyan University,

 Central

 Mr. Ronnie L. Booth, Ph.D - Tri-County Technical College, Pendleton

 Mr. John W. Ducworth III - First Citizens, Clemson

 Mr. Benjamin G. Glunt - Florence & Hutcheson, Inc., Greenville

**ADDITIONAL INFORMATION:**

Mr. Martin advised that his company’s typical customers are private contractors and municipalities. While his products are approved for use by departments of transportation, he stated he does not have any state contracts and does not sell to the SCDOT. He reports that his company sells to contractors who may sometimes use his products in DOT projects.

Mr. Martin said his business background and planning abilities would be an asset to the commission. He stated he would like to help foster better communication between county CTC’s and the SCDOT.

Mr. Martin testified that he was aware of the statutory prohibition on members pledging votes until after the release of the committee’s final report. He further testified that he has neither sought nor received the pledge of any legislator prior to screening; has neither sought nor been offered a conditional pledge of support by any legislator; and has not asked third persons to contact legislators in request of support prior to screening.

**CONCLUSION:**

The committee finds Mr. Martin qualified and reports him to the resident members of the Third District Delegation for consideration.

Received as information.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 4742 -- Rep. Delleney: A BILL TO AMEND SECTION 56-3-1970, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL PARKING OF A VEHICLE IN A PLACE DESIGNATED FOR HANDICAPPED PERSONS, SO AS TO PROVIDE THAT A VIOLATION OF THE PROVISIONS CONTAINED IN THIS SECTION MUST BE TRIED EXCLUSIVELY IN SUMMARY COURT.

Referred to Committee on Judiciary

H. 4743 -- Reps. McEachern, Brantley, Knight, Allen, Branham, G. A. Brown, Clemmons, Clyburn, Daning, Dillard, Harvin, Herbkersman, Hodges, Hosey, Littlejohn, Whipper and Willis: A BILL TO AMEND SECTION 56-3-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT AN AGENT OR EMPLOYEE OF AN OWNER OF A GOLF CART WHO POSSESSES A VALID DRIVER'S LICENSE MAY OPERATE THE VEHICLE ALONG CERTAIN HIGHWAYS AND STREETS.

Referred to Committee on Education and Public Works

H. 4746 -- Reps. Mitchell, Loftis, Harrell, Knight, V. S. Moss and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 11, TITLE 1 SO AS TO CREATE THE "SOUTH CAROLINA ENVIRONMENTAL JUSTICE EQUITABLE REDEVELOPMENT COMMISSION" AND THE SOUTH CAROLINA INTERAGENCY WORKING GROUP ON ENVIRONMENTAL JUSTICE, AN ADVISORY COMMITTEE TO THE COMMISSION, AND TO PROVIDE FOR THEIR MEMBERS, POWERS, AND DUTIES.

Referred to Committee on Ways and Means

H. 4748 -- Rep. Nanney: A BILL TO AMEND SECTION 23-31-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS ALLOWED TO CARRY A CONCEALED WEAPON WHILE CARRYING OUT THE DUTIES OF THEIR OFFICES, SO AS TO PROVIDE THAT REGISTERS OF DEEDS MAY CARRY A CONCEALED WEAPON WHILE CARRYING OUT THE DUTIES OF THEIR OFFICE.

Referred to Committee on Judiciary

S. 332 -- Senator Leventis: A BILL TO AMEND SECTIONS 6-1-530 AND 6-1-730, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO USES ALLOWED FOR THE REVENUE OF THE LOCAL ACCOMMODATIONS AND LOCAL HOSPITALITY TAX, SO AS TO INCREASE FROM TWENTY TO FIFTY PERCENT, IN COUNTIES IN WHICH LESS THAN NINE HUNDRED THOUSAND DOLLARS IN STATE ACCOMMODATIONS TAX IS COLLECTED ANNUALLY, THE AMOUNT OF THE REVENUE OF THE LOCAL TAXES THAT MAY BE USED FOR OPERATIONS AND MAINTENANCE.

Referred to Committee on Ways and Means

S. 1137 -- Senators Fair and L. Martin: A BILL TO AMEND SECTION 44-53-398, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MONITORING THE SALE OF PRODUCTS CONTAINING EPHEDRINE OR PSEUDOEPHEDRINE, SO AS TO ALSO MONITOR PHENYLPROPANOLAMINE AND THE SALE AND PURCHASE OF THESE PRODUCTS, TO MAKE IT ILLEGAL TO PURCHASE THESE PRODUCTS, TO PROVIDE THAT INFORMATION GATHERED FROM THE PURCHASER AT THE TIME OF THE SALE OF THESE PRODUCTS MUST BE ENTERED IN AN ELECTRONIC LOG, RATHER THAN A WRITTEN LOG, TO PROVIDE THAT THE INFORMATION MUST BE TRANSMITTED TO A CENTRAL DATA COLLECTION SYSTEM THAT WILL SUBMIT THIS INFORMATION TO SLED WHICH WILL MAINTAIN THIS INFORMATION TO ASSIST LAW ENFORCEMENT IN MONITORING THESE SALES AND PURCHASES, AND TO PROVIDE THAT A RETAILER OF THESE PRODUCTS MAY APPLY TO THE BOARD OF PHARMACY FOR AN EXEMPTION FROM THE ELECTRONIC LOG REQUIREMENT; AND BY ADDING CHAPTER 14 TO TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL SERVE AS THE REPOSITORY FOR INFORMATION THE CENTRAL DATA COLLECTION GATHERS AND TRANSFERS TO SLED PERTAINING TO THE SALE AND PURCHASE OF PRODUCTS CONTAINING EPHEDRINE, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE.

Referred to Committee on Judiciary

**HOUSE RESOLUTION**

The following was introduced:

H. 4744 -- Reps. Wylie, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO CONGRATULATE ALEXIS AIME, A SENIOR AT WADE HAMPTON HIGH SCHOOL, ON BEING NAMED A FIRST-PLACE WINNER IN THE PRESTIGIOUS BARRY ALEXANDER INTERNATIONAL VOCAL COMPETITION.

Whereas, on January 24, 2010, Wade Hampton High School senior Alexis Aime made her Carnegie Hall debut as a first‑place winner in the prestigious Barry Alexander International Vocal Competition, the only American high school student to be so honored; and

Whereas, seventeen year old Alexis began participating in theatrical performances at age eight in Columbia, her home during early childhood. A love for musical theater led to voice lessons and, eventually, a transfer of musical focus to opera, her present passion; and

Whereas, Alexis, a lyric soprano who studies voice, piano, and AP music theory, primarily at the Greenville Fine Arts Center, has demonstrated both exceptional talent and extraordinary discipline in her musical training, resulting in early national acclaim for the young classical singer; and

Whereas, most recently, she was named a Presidential Scholar in the Arts nominee, an honor conferred by the National Foundation for Advancement in the Arts youngARTS program. Each year, the twenty winners are recognized at a June White House ceremony and are featured in an exhibition at the Smithsonian Museum and in performance at the John F. Kennedy Center for the Performing Arts, truly a life‑changing experience for any young artist; and

Whereas, the House of Representatives applauds Alexis Aime for her first‑place win in the Barry Alexander International Vocal Competition and extends best wishes for much success in the Presidential Scholars Competition. The members look with interest to the unfolding of her career as she graduates from high school and begins the collegiate level of her musical studies. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, congratulate Alexis Aime, a senior at Wade Hampton High School, on being named a first‑place winner in the prestigious Barry Alexander International Vocal Competition.

Be it further resolved that a copy of this resolution be provided to Alexis Aime.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4745 -- Reps. Mitchell, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO CONGRATULATE G. DOUGLAS LOWE, HEAD BASKETBALL COACH OF SPARTANBURG HIGH SCHOOL, UPON THE OCCASION OF HIS RETIREMENT ON JUNE 30, 2010, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4747 -- Reps. Mack, Gilliard, Hutto, Whipper, Stavrinakis, R. L. Brown, Harrell, Limehouse and Sottile: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGES LOCATED AT EXITS 219 A AND 219 B IN CHARLESTON COUNTY "FLOYD BREELAND INTERCHANGES" AND ERECT APPROPRIATE MARKERS OR SIGNS AT BOTH EXITS THAT CONTAIN THE WORDS "FLOYD BREELAND INTERCHANGE".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1192 -- Senators Massey, Campbell, Mulvaney and Bright: A CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO ENACT LEGISLATION EXPANDING THE OUTER CONTINENTAL SHELF (OCS) OIL AND GAS LEASING PROGRAM TO ALLOW EXPLORATION AND PRODUCTION OF DOMESTIC SUPPLIES OF NATURAL GAS OFF THE COAST OF SOUTH CAROLINA AND TO ALLOW SOUTH CAROLINA TO RECEIVE 37.5 PERCENT OF FUNDS DUE TO THE UNITED STATES FROM OCS NATURAL GAS LEASES TO BE EXPENDED BY THE STATE FOR SUCH PURPOSES THE STATE MAY DETERMINE.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1276 -- Senators Cromer and Knotts: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE LEXINGTON HIGH SCHOOL BOYS CROSS COUNTRY TEAM FOR ITS OUTSTANDING SEASON AND FOR CAPTURING THE 2009 CLASS AAAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S EXCEPTIONAL RUNNERS, COACHES, AND STAFF.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1277 -- Senators Cromer and Knotts: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE LEXINGTON HIGH SCHOOL GIRLS GOLF TEAM FOR CAPTURING THE 2009 CLASS AAAA STATE CHAMPIONSHIP

TITLE, AND TO HONOR THE TEAM'S SUPERLATIVE PLAYERS, COACHES, AND STAFF.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Duncan |
| Edge | Erickson | Frye |
| Funderburk | Gambrell | Gilliard |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hearn | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Kelly | Kirsh |
| Littlejohn | Loftis | Long |
| Lowe | Mack | McEachern |
| McLeod | Merrill | Miller |
| Millwood | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Norman | Ott |
| Owens | Parker | Parks |
| M. A. Pitts | Rice | Sandifer |
| Scott | Sellers | Simrill |
| Skelton | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Weeks | Whipper |
| White | Williams | Willis |
| Wylie | A. D. Young | T. R. Young |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, March 16.

|  |  |
| --- | --- |
| Greg Delleney | Chandra Dillard |
| Michael Forrester | Jerry Govan |
| Anton J. Gunn | Leon Howard |
| H.B. "Chip" Limehouse | James Lucas |
| Lewis E. Pinson | Ted Vick |
| William R. "Bill" Whitmire | John R. King |
| Thad Viers | Patsy Knight |
| Paul Agnew | Denny Neilson |
| Todd Rutherford | G. Murrell Smith |
| Douglas Jennings | Chris Hart |

**Total Present--122**

**DOCTOR OF THE DAY**

Announcement was made that Dr. Tommy Rowland of Columbia was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co‑sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co‑sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member’s or co‑sponsor’s written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4607 |
| Date: | ADD: |
| 03/16/10 | ALLISON, PARKER, MITCHELL, LONG, VIERS, SELLERS, SOTTILE and FORRESTER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4663 |
| Date: | ADD: |
| 03/16/10 | HERBKERSMAN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4683 |
| Date: | ADD: |
| 03/16/10 | LONG |

**H. 4657--AMENDED AND INTERRUPTED DEBATE**

Debate was resumed on the following Bill, the pending question being the consideration of Part IB

**H. 4657--THE GENERAL APPROPRIATION BILL**

H. 4657 -- 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, 2010, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THIS OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

**PART IB**

**SECTION 1--AMENDED AND INTERRUPTED DEBATE**

Rep. HALEY proposed the following Amendment No. 118 (Doc Name h:\legwork\house\amend\H-WM\007\70 PERCENT SPENT IN CLASSROOM.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 335, paragraph 1.43, line 29, by striking /sixty-five/ and inserting /seventy/

Amend the bill further, as and if amended, Section 1, DEPARTMENT OF EDUCATION, page 335, paragraph 1.43, line 31, by striking /sixty-five/ and inserting /seventy/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HALEY explained the amendment.

Rep. CRAWFORD moved to table the amendment.

Rep. HALEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 9; Nays 100

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Brantley | Crawford | Daning |
| Gambrell | Gilliard | Harvin |
| Hodges | Kirsh | Skelton |

**Total--9**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | G. A. Brown |
| H. B. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cole | Cooper | Dillard |
| Duncan | Edge | Erickson |
| Forrester | Frye | Funderburk |
| Govan | Haley | Hamilton |
| Hardwick | Harrell | Hayes |
| Hearn | Herbkersman | Hiott |
| Horne | Hosey | Huggins |
| Hutto | Jefferson | Kelly |
| King | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Mack | McEachern |
| McLeod | Merrill | Miller |
| Millwood | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Norman | Ott |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | D. C. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Stringer | Thompson |
| Toole | Umphlett | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--100**

So, the House refused to table the amendment.

Rep. CRAWFORD spoke against the amendment.

Rep. LITTLEJOHN spoke against the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. SKELTON spoke against the amendment.

Rep. DUNCAN spoke upon the amendment.

Rep. HALEY spoke in favor of the amendment.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. PARKER spoke against the amendment.

Rep. PARKER spoke against the amendment.

Rep. J. H. NEAL spoke against the amendment.

Rep. J. H. NEAL spoke against the amendment.

Rep. J. M. NEAL spoke against the amendment.

The question then recurred to the adoption of the amendment.

Rep. HALEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 74; Nays 42

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| H. B. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cole | Cooper | Delleney |
| Duncan | Edge | Erickson |
| Forrester | Frye | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Herbkersman | Hiott | Horne |
| Huggins | Hutto | Kelly |
| Knight | Limehouse | Loftis |
| Lucas | McLeod | Merrill |
| Miller | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Neilson |
| Norman | Ott | Owens |
| Rice | Scott | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Viers | Weeks | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--74**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Brady |
| Branham | Brantley | G. A. Brown |
| Cobb-Hunter | Crawford | Daning |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Harvin | Hodges | Hosey |
| Jefferson | Jennings | King |
| Kirsh | Littlejohn | Long |
| Mack | McEachern | Mitchell |
| J. H. Neal | J. M. Neal | Parker |
| Parks | Pinson | M. A. Pitts |
| Sellers | Skelton | D. C. Smith |
| Vick | Whipper | Williams |

**Total--42**

So, the amendment was adopted.

Rep. OTT proposed the following Amendment No. 166 (Doc Name H:\HOUSE\AMEND\COUNCIL\DKA\3953BH10.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 335, paragraph 1.43, at the end of line 34, by inserting:

/*Salaries of on-site administrators must be included in the calculation of the district’s per pupil expenditures.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. OTT explained the amendment.

Rep. MERRILL demanded the yeas and nays which were taken, resulting as follows:

Yeas 86; Nays 28

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Ballentine | Bannister |
| Barfield | Bingham | Bowen |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Chalk |
| Clemmons | Clyburn | Cole |
| Cooper | Crawford | Delleney |
| Edge | Erickson | Forrester |
| Frye | Gambrell | Gilliard |
| Govan | Gunn | Haley |
| Hardwick | Harrell | Harvin |
| Hayes | Hearn | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Mack | McEachern |
| McLeod | Miller | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Rice | Sandifer |
| Sellers | Simrill | Skelton |
| D. C. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Viers | Weeks | White |
| Whitmire | Williams | Willis |
| Wylie | A. D. Young |  |

**Total--86**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Bales |
| Bedingfield | Bowers | H. B. Brown |
| Cato | Cobb-Hunter | Daning |
| Dillard | Duncan | Funderburk |
| Hamilton | Kelly | King |
| Merrill | Millwood | Mitchell |
| Nanney | Norman | Parks |
| Pinson | M. A. Pitts | Scott |
| G. M. Smith | Stringer | Whipper |
| T. R. Young |  |  |

**Total--28**

So, the amendment was adopted.

Rep. LOFTIS proposed the following Amendment No. 12 (Doc Name h:\legwork\house\amend\H-WM\001\1.43 CATE.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 336, paragraph 1.43, line 19, after “adopted textbook list must be suspended.” by inserting:

/ *Of the savings from this suspension, $662,000 must be directed to Career and Technology Education (CATE) to purchase new textbooks and resource materials.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. LOFTIS explained the amendment.

Rep. J. R. SMITH spoke against the amendment.

Rep. J. R. SMITH moved to table the amendment.

The amendment was then tabled by a division vote of 71 to 7.

Rep. COOPER moved that the House recede until 1:30 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 1:30 p.m. the House resumed, Acting Speaker D. C. SMITH in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**H. 4657--AMENDED AND INTERRUPTED DEBATE**

Debate was resumed on the following Bill, the pending question being the consideration of Part IB.

**H. 4657--THE GENERAL APPROPRIATION BILL**

H. 4657 -- 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, 2010, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THIS OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

**SECTION 1--AMENDED AND ADOPTED**

Rep. J. E. SMITH proposed the following Amendment No. 62 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\AGM\19935 BH10.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 337, paragraph 1.48, by striking the paragraph in its entirety and inserting:

/ *1.48. (SDE: National Board Certification Incentive) Public school classroom teachers or classroom teachers who work with classroom teachers who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards shall be paid a $7,500 salary supplement beginning July 1 in the year following the year of achieving certification, beginning with 2009 applicants. Teachers employed at the special schools shall be eligible for this $7,500 salary supplement. The special schools include the Governor’s School for Science and Math, Governor’s School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The $7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the $7,500 supplement shall be adjusted on a pro rata basis for the teacher’s FTE and paid to the teacher in accordance with the district’s payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall develop guidelines and administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who are applying to the National Board for Professional Teaching Standards for certification may receive a loan equal to the amount of the application fee. Up to eleven hundred loan applications shall be processed annually. One-half of the loan principal amount and interest shall be forgiven when the required portfolio is submitted to the national board. Teachers attaining certification within three years of receiving the loan will have the full loan principal amount and interest forgiven. Teachers who previously submitted a portfolio to the National Board for Professional Teaching Standards for certification under previous appropriation acts, shall receive reimbursement of their certification fee as prescribed under the provisions of the previous appropriation act. Funds collected from educators who are in default of the National Board loan shall be retained and carried forward for National Board purposes. Of the funds appropriated in Part IA, Section 1, XIII.A. for National Board Certification, the State Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of the loan program. In addition, teachers who are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.*

 *Provided, further, that in calculating the compensation for teacher specialists, the State Department of Education shall include state and local compensation as defined in Section 59-18-1530 to include local supplements except local supplements for National Board certification. Teacher specialists remain eligible for state supplement for National Board certification.*

 *Teachers who begin the application process after July 1, 2007 and who teach in schools which have an absolute rating of below average or at-risk at the time the teacher applies to the National Board for certification, but who fail to obtain certification, nonetheless shall be eligible for full forgiveness of the loan as follows: upon submission of all required materials for certification, one-half of the loan principal amount and interest shall be forgiven; forgiveness of the remainder of the loan will be at the rate of 33% for each year of full time teaching in the same school regardless of whether that school exceeds an absolute rating of below average or at-risk during the forgiveness period, or for each year of full time teaching in another school that has an absolute rating of below average or at risk.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. E. SMITH explained the amendment.

Rep. COOPER moved to table the amendment.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 54; Nays 50

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bannister | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Herbkersman | Hiott | Kelly |
| Kirsh | Limehouse | Littlejohn |
| Loftis | Long | Merrill |
| Millwood | D. C. Moss | Nanney |
| Norman | Ott | Owens |
| Parker | Parks | Rice |
| Sandifer | Scott | Skelton |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Spires | Stringer | Thompson |
| Umphlett | White | Wylie |

**Total--54**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Ballentine |
| Barfield | Battle | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Dillard | Erickson | Funderburk |
| Gilliard | Govan | Gunn |
| Harvin | Hayes | Hearn |
| Hodges | Horne | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | King | Knight |
| Lowe | Lucas | McEachern |
| McLeod | Miller | Mitchell |
| J. M. Neal | Pinson | M. A. Pitts |
| Sellers | Simrill | G. M. Smith |
| J. E. Smith | Sottile | Stavrinakis |
| Vick | Weeks | Williams |
| Willis | T. R. Young |  |

**Total--50**

So, the amendment was tabled.

Rep. WILEY proposed the following Amendment No. 71 (Doc Name h:\legwork\house\amend\H-WM\007\DISTRICT REPORT CARD PRINTING.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 336, paragraph 1.43, line 23 after “parent”, by inserting:

/*Additionally, school districts shall not be required to advertise the report card results in a newspaper of general circulation in their area. The results must be provided to the Editor of a newspaper of general circulation in their area.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. WYLIE explained the amendment.

The amendment was then adopted.

**AMENDMENT NO. 166--DEBATE ADJOURNED ON MOTION TO RECONSIDER**

Rep. LOFTIS moved to reconsider the vote whereby Amendment No. 166 was adopted.

Rep. MERRILL spoke in favor of the motion to reconsider.

Rep. OTT moved to table the motion to reconsider.

Rep. BEDINGFIELD demanded the yeas and nays which were taken, resulting as follows:

Yeas 44; Nays 70

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Battle | Bowers |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Hart |
| Hayes | Hodges | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | King | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Ott | Parks |
| Sellers | J. E. Smith | Spires |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--44**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | H. B. Brown |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Crawford |
| Daning | Delleney | Duncan |
| Edge | Erickson | Forrester |
| Frye | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Hiott |
| Horne | Kelly | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stringer |
| Thompson | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--70**

So, the House refused to table the motion to reconsider.

The question then recurred to the motion to reconsider.

Rep. OTT spoke against the motion to reconsider.

Rep. MERRILL spoke in favor of the motion to reconsider.

Rep. STAVRINAKIS moved to adjourn debate on Section 1.

Rep. COOPER moved to table the motion which was agreed to by a division vote of 61 to 45.

Rep. BINGHAM moved to adjourn debate on the motion to reconsider, which was agreed to.

Rep. J. R. SMITH proposed the following Amendment No. 45 (Doc Name h:\amend\H-WM\007\BACKGROUND CHECKS.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 351, paragraph 1.77, lines 12 and 13, by striking:

/*The policy shall stipulate whether the district or the applicant assumes the cost of the criminal record search.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. R. SMITH explained the amendment.

The amendment was then adopted.

Rep. CHALK proposed the following Amendment No. 38 (Doc Name h:\legwork\house\amend\H-WM\007\FUNDING FORMULA TO DISTRICTS.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 2, by adding an appropriately numbered paragraph to read:

/ *(SDE: EFA Disbursement) For Fiscal Year 2010-11 no district may receive less than fifty percent of the cost of its foundation program as calculated in the Education Finance Act of 1977 from the EFA. A school district that is substantially located in a county in which the average wages of the county are greater than one hundred five percent of the total state average wages must provide at least thirty percent of the cost of its foundation program as calculated in the Education Finance Act of 1977.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. CHALK explained the amendment.

Rep. CHALK spoke in favor of the amendment.

Rep. J. R. SMITH moved to table the amendment, which was agreed to.

Rep. J. R. SMITH proposed the following Amendment No. 42 (Doc Name h:\legwork\house\amend\H-WM\007\CARRY FORWARD FUNDING FOR TRANSPORTATION.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 2, by adding an appropriately numbered paragraph to read:

/ *(SDE: Carry Forward Authorization)For Fiscal Year 2010-11 The Department of Education is authorized to carry forward and expend any General Fund balances for transportation./*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. R. SMITH explained the amendment.

The amendment was then adopted.

Rep. CHALK proposed the following Amendment No. 53 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\AGM\19936 BH10.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 2, by adding an appropriately numbered paragraph to read:

/ *(SDE: EFA Disbursement) For Fiscal Year 2010-11 no district may receive less than fifty percent of the cost of its foundation program as calculated in the Education Finance Act of 1977 from the EFA. A school district that is substantially located in a county in which the average wages of the county are greater than one hundred five percent of the total state average wages must provide at least thirty percent of the cost of its foundation program as calculated in the Education Finance Act of 1977. A district that is adversely affected by the provisions of this proviso may, for Fiscal Year 2010-2011, only increase its annual millage above the cap imposed by Section 6-1-320 in an amount not to exceed what is necessary to recover the lost funds.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. CHALK explained the amendment.

Rep. LOFTIS moved to table the amendment.

**POINT OF ORDER**

Rep. COOPER raised the Point of Order that Amendment No. 53 was out of order under House Rule 5.3 B in that it was not germane to the bill.

SPEAKER HARRELL stated that the substantial effect of the amendment was directly germane to the appropriation of funds since it dealt with the disbursements of funds as calculated by the Education Finance Act of 1977. Therefore, he overruled the Point of Order.

Rep. CHALK demanded the yeas and nays which were taken, resulting as follows:

Yeas 85; Nays 28

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Ballentine | Bannister | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | G. A. Brown |
| H. B. Brown | Cato | Clyburn |
| Cole | Cooper | Crawford |
| Daning | Delleney | Dillard |
| Duncan | Edge | Forrester |
| Frye | Funderburk | Gambrell |
| Gunn | Haley | Hamilton |
| Harrison | Harvin | Hayes |
| Hiott | Hosey | Huggins |
| Jefferson | Jennings | Kelly |
| Kirsh | Littlejohn | Loftis |
| Lowe | Lucas | McEachern |
| McLeod | Merrill | Miller |
| Millwood | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Spires | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Vick | Weeks | White |
| Whitmire | Williams | Wylie |
| T. R. Young |  |  |

**Total--85**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Anderson |
| Barfield | Brantley | R. L. Brown |
| Chalk | Clemmons | Cobb-Hunter |
| Erickson | Gilliard | Govan |
| Hardwick | Herbkersman | Hodges |
| Horne | Hutto | King |
| Knight | Limehouse | Mack |
| Sellers | J. E. Smith | Sottile |
| Stavrinakis | Viers | Whipper |
| A. D. Young |  |  |

**Total--28**

So, the amendment was tabled.

Rep. HERBKERSMAN proposed the following Amendment No. 89 (Doc Name h:\legwork\house\amend\H-WM\007\REPORTING ADMINISTRATION COSTS.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 2, by adding an appropriately numbered paragraph to read:

/ *School Districts must report the amount of funds spent on administrative costs and post the report on the districts website.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HERBKERSMAN explained the amendment.

The amendment was then adopted.

Rep. DUNCAN proposed the following Amendment No. 100 (Doc Name h:\legwork\house\amend\H-WM\007\HISTORY TEXTBOOKS. DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 2, by adding an appropriately numbered paragraph to read:

/ *For Fiscal Year 2010-11 the Department of Education must only purchase history textbooks which include, but are not limited to, the history of the United States of America from the arrival of Columbus, the Declaration of Independence, the American Revolution and the Constitution of the United States.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. DUNCAN explained the amendment.

Rep. OTT moved to table the amendment.

Rep. LOFTIS demanded the yeas and nays which were taken, resulting as follows:

Yeas 26; Nays 77

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Bowers | Brantley | R. L. Brown |
| Cobb-Hunter | Dillard | Erickson |
| Gilliard | Gunn | Hodges |
| Hosey | Jefferson | King |
| Kirsh | Mack | McLeod |
| Mitchell | J. H. Neal | Parker |
| Rutherford | Sellers | Weeks |
| Whipper | Williams |  |

**Total--26**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | G. A. Brown | Cato |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Duncan | Edge | Forrester |
| Frye | Gambrell | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Herbkersman | Hiott | Horne |
| Huggins | Hutto | Kelly |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Merrill | Miller | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Neilson | Norman | Owens |
| Parks | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--77**

So, the House refused to table the amendment.

Rep. SELLERS spoke against the amendment.

**POINT OF ORDER**

Rep. WHIPPER raised the Point of Order that Amendment No. 100 was out of order in that it was not germane to the bill.

SPEAKER HARRELL stated that both the amendment and the bill dealt with how appropriations are spent. Therefore, he overruled the Point of Order.

Rep. DUNCAN spoke in favor of the amendment.

Rep. STAVRINAKIS spoke against the amendment.

Rep. COBB-HUNTER spoke against the amendment.

Rep. COBB-HUNTER moved to table the amendment, which was agreed to.

Rep. WEEKS proposed the following Amendment No. 170 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\AGM\19942 BH10.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 2, by adding an appropriately numbered paragraph to read:

/ *1.\_\_. (SDE: Head Start Participants To Meet Requirements of Teacher Certification) A person who participates as a teacher in the Head Start Program must meet the requirements for licensure and recertification by the South Carolina Department of Education.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

Rep. SELLERS proposed the following Amendment No. 160 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\DKA\3952BH

10.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 2, by adding an appropriately numbered paragraph to read:

/ *1. . (SDE: Poverty Weighting Under the Education Finance Act) For fiscal year 2010‑2011, there must be included a weighting classification for poverty within the formula used to calculate education funding within the Education Finance Act.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SELLERS explained the amendment.

Rep. SELLERS spoke in favor of the amendment.

Rep. J. R. SMITH moved to table the amendment.

Rep. SELLERS demanded the yeas and nays which were taken, resulting as follows:

Yeas 58; Nays 57

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Clemmons | Cole | Cooper |
| Daning | Frye | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Kelly | Kirsh |
| Limehouse | Loftis | Long |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--58**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Ballentine | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Chalk | Clyburn |
| Crawford | Delleney | Dillard |
| Duncan | Erickson | Funderburk |
| Gilliard | Govan | Gunn |
| Hart | Harvin | Hayes |
| Herbkersman | Hodges | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | King | Knight |
| Littlejohn | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Rutherford | Sellers | G. M. Smith |
| J. E. Smith | Stavrinakis | Vick |
| Weeks | Whipper | Williams |

**Total--57**

So, the amendment was tabled.

Reps. MILLER and ANDERSON proposed the following Amendment No. 87 (Doc Name H:\LEGWORK\HOUSE\ AMEND\COUNCIL\GGS\22546SD10.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, H-63, DEPARTMENT OF EDUCATION, page 352, by adding an appropriately numbered paragraph immediately after paragraph 1.83 to read:

/ *1.\_\_\_\_ (SDE - District Bond Proceeds) School districts for fiscal year 2010-2011 may expend funds generated from a general obligation debt bond issue for school operating purposes in order to deal with a shortage of school operating funds if permitted by the federal law applicable to the particular types of bonds issued and if it does not violate any provisions of the bond indenture applicable to the issuance and sale of those bonds.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. MILLER explained the amendment.

Rep. J. R. SMITH moved to table the amendment.

Rep. MILLER demanded the yeas and nays which were taken, resulting as follows:

Yeas 70; Nays 44

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Delleney |
| Duncan | Edge | Erickson |
| Forrester | Frye | Gambrell |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Herbkersman | Hiott | Horne |
| Huggins | Kelly | Kirsh |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--70**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Bales | Battle |
| Bowers | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Daning | Dillard | Funderburk |
| Gilliard | Gunn | Hart |
| Harvin | Hayes | Hodges |
| Hosey | Hutto | Jefferson |
| Jennings | King | Knight |
| Mack | McEachern | McLeod |
| Miller | J. H. Neal | J. M. Neal |
| Neilson | Ott | Parks |
| Rutherford | Sellers | J. E. Smith |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--44**

So, the amendment was tabled.

Reps. OTT and MERRILL proposed the following Amendment No. 181 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\ AGM\19945BH10.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 335, paragraph 1.43, at the end of line 34, by inserting:

/*Salaries of on-site principals must be included in the calculation of the district’s per pupil expenditures.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BEDINGFIELD spoke against the amendment.

Rep. BEDINGFIELD demanded the yeas and nays which were taken, resulting as follows:

Yeas 78; Nays 39

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Ballentine | Barfield |
| Battle | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Chalk | Clemmons |
| Clyburn | Cooper | Crawford |
| Delleney | Dillard | Frye |
| Gilliard | Govan | Gunn |
| Haley | Hardwick | Hart |
| Harvin | Hayes | Hiott |
| Hodges | Horne | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | King | Kirsh |
| Knight | Long | Lucas |
| Mack | McEachern | McLeod |
| Merrill | Miller | Mitchell |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | Rice |
| Rutherford | Sandifer | Sellers |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Spires | Stavrinakis | Thompson |
| Weeks | Whipper | White |
| Whitmire | Williams | A. D. Young |

**Total--78**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Bannister |
| Bedingfield | Cato | Cole |
| Daning | Duncan | Edge |
| Erickson | Forrester | Funderburk |
| Gambrell | Hamilton | Harrell |
| Hearn | Herbkersman | Kelly |
| Limehouse | Littlejohn | Loftis |
| Lowe | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| M. A. Pitts | Scott | G. R. Smith |
| Sottile | Stewart | Stringer |
| Toole | Umphlett | Viers |
| Willis | Wylie | T. R. Young |

**Total--39**

The amendment was then adopted.

**AMENDMENT NO. 166--TABLED**

The motion of Rep. BINGHAM to reconsider the vote whereby debate was adjourned on the motion to reconsider was taken up and agreed to.

Rep. COOPER moved to table Amendment No. 166, which was agreed to.

**AMENDMENT NO. 62--MOTION TO RECONSIDER TABLED**

Rep. ANDERSON moved to reconsider the vote whereby Amendment No. 62 was tabled.

Rep. COOPER moved to table the motion to reconsider.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 65; Nays 50

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Herbkersman | Hiott | Horne |
| Kelly | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| M. A. Pitts | Rice | Sandifer |
| Scott | Skelton | D. C. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Viers | White | Willis |
| Wylie | A. D. Young |  |

**Total--65**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Bales | Ballentine |
| Battle | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Hart | Harvin | Hayes |
| Hodges | Hosey | Huggins |
| Hutto | Jefferson | Jennings |
| King | Knight | Lucas |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Parks | Pinson | Rutherford |
| Sellers | Simrill | G. M. Smith |
| J. E. Smith | Stavrinakis | Vick |
| Weeks | Whipper | Whitmire |
| Williams | T. R. Young |  |

**Total--50**

So, the motion to reconsider was tabled.

Section 1, as amended, was adopted.

**SECTION 1A--AMENDED AND ADOPTED**

Rep. COOPER proposed the following Amendment No. 36 (Doc Name h:\legwork\house\amend\H-WM\007\step increases substitute.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION-EIA, page 352, paragraph 1A.6, line 25 after “2010-11”, by inserting:

/*and at the request of an individual district the State Department of Education is directed to adjust the schedule to allow individuals to be placed on the schedule at the correct level of experience without incurring an increased fiscal impact to the State or individual district salary schedules* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COOPER explained the amendment.

The amendment was then adopted.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. J. R. SMITH proposed the following Amendment No. 51 (Doc Name h:\legwork\house\amend\H-WM\001\1A.23 FLEXI-BILITY.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 359, paragraph 1A.23, lines 13-36 and page 360, lines 1-31, by striking the paragraph in its entirety and inserting:

 / 1A.23. (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs.

 In order for a school district to take advantage of the flexibility provisions, at least sixty-five percent of the school district's per pupil expenditures must be utilized within the In$ite categories of instruction, instructional support, and non-instruction pupil services. No portion of the sixty-five percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by In$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and non-instruction pupil services for the school year ending June 30, ~~2010~~ *2011*.

 "In$ite" means the financial analysis model for education programs utilized by the Department of Education.

 School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, and expanding virtual instruction.

 School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

 Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

 Quarterly throughout the ~~2009-10~~ *2010-11* fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or non-essential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be posted on the Internet website maintained by the school district.

 For Fiscal Year ~~2009-10~~ *2010-11*, ~~Section~~ *Sections* 59-21-1030 *and 59-20-50(4)(a)* ~~is~~ *are* suspended. ~~Formative~~ *State mandated assessments not required by No Child Left Behind, formative* assessments for grades one, two, and nine, the foreign language program assessment, *financial literacy,* and the physical education assessment must be suspended. ~~New textbook adoptions may be suspended.~~ ~~Nothing in this provision suspends, amends, modifies, or otherwise authorizes changes in the manner in which textbooks are purchased.~~ *Textbook purchases beyond that required for replacement of instructional material currently on the state adopted textbook list must be suspended. Printing of school and district report cards shall be suspended. The district or school shall email parents a link to the report cards if the school maintains parent email addresses in its student information system database. The district or school shall notify parents about the report cards through its newsletters and other regular communication channels. If a parent requests from the district or school a printed copy of the report card, the district or school will provide that printed copy without cost to the parent.* School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

 *For Fiscal Year 2010-11, savings generated from the suspension of the state mandated assessments, the suspension of new textbooks adoptions, and the suspension of report card printing enumerated above must be redirected to the Education Finance Act for teacher salary purposes.*

 School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district’s internet website and made available for public viewing and downloading. The register must include for each expenditure:

 (i) the transaction amount;

 (ii) the name of the payee; and

 (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

 Each school district must also maintain on its Internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the Internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

 The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own Internet website. The Internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

 School districts that do not maintain an Internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the Internet website.

 The Comptroller General shall distribute to the districts a methodology and resources for compliance. If a district complies with the methodology, it shall be reimbursed for any documented expenses incurred as a result of compliance. Reimbursement must be from the budget of the Comptroller General.

 The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. R. SMITH explained the amendment.

The amendment was then adopted.

Rep. Loftis proposed the following Amendment No. 52 (Doc Name h:\legwork\house\amend\H-WM\001\1a.23 cate merged.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 359, paragraph 1A.23, lines 13-36 and page 360, lines 1-31, by striking the paragraph in its entirety and inserting:

/ 1A.23. (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs.

 In order for a school district to take advantage of the flexibility provisions, at least sixty-five percent of the school district's per pupil expenditures must be utilized within the In$ite categories of instruction, instructional support, and non-instruction pupil services. No portion of the sixty-five percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by In$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and non-instruction pupil services for the school year ending June 30, ~~2010~~ *2011*.

 "In$ite" means the financial analysis model for education programs utilized by the Department of Education.

 School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, and expanding virtual instruction.

 School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

 Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

 Quarterly throughout the ~~2009-10~~ *2010-11* fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or non-essential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be posted on the Internet website maintained by the school district.

 For Fiscal Year ~~2009-10~~ *2010-11*, ~~Section~~ *Sections* 59-21-1030 *and 59-20-50(4)(a)* ~~is~~ *are* suspended. ~~Formative~~ *State mandated assessments not required by No Child Left Behind, formative* assessments for grades one, two, and nine, the foreign language program assessment, *financial literacy,* and the physical education assessment must be suspended. ~~New textbook adoptions may be suspended.~~ ~~Nothing in this provision suspends, amends, modifies, or otherwise authorizes changes in the manner in which textbooks are purchased.~~ *Textbook purchases beyond that required for replacement of instructional material currently on the state adopted textbook list must be suspended. Of the savings from this suspension, $662,000 must be directed to Career and Technology Education (CATE) to purchase new textbooks and resource materials. Printing of school and district report cards shall be suspended. The district or school shall email parents a link to the report cards if the school maintains parent email addresses in its student information system database. The district or school shall notify parents about the report cards through its newsletters and other regular communication channels. If a parent requests from the district or school a printed copy of the report card, the district or school will provide that printed copy without cost to the parent.* School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

 *For Fiscal Year 2010-11, savings generated from the suspension of the state mandated assessments, the suspension of new textbooks adoptions, and the suspension of report card printing enumerated above must be redirected to the Education Finance Act for teacher salary purposes.*

 School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district’s Internet website and made available for public viewing and downloading. The register must include for each expenditure:

 (i) the transaction amount;

 (ii) the name of the payee; and

 (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

 Each school district must also maintain on its Internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the Internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

 The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own Internet website. The Internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

 School districts that do not maintain an Internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the Internet website.

 The Comptroller General shall distribute to the districts a methodology and resources for compliance. If a district complies with the methodology, it shall be reimbursed for any documented expenses incurred as a result of compliance. Reimbursement must be from the budget of the Comptroller General.

 The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. LOFTIS explained the amendment.

Rep. LOFTIS moved to table the amendment, which was agreed to.

Rep. WILEY proposed the following Amendment No. 70 (Doc Name h:\legwork\house\amend\H-WM\007\newspaper advertisement change to 1a.23 corrected.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION-EIA, page 359, paragraph 1A.23, by striking the paragraph in its entirety and inserting:

/(SDE-EIA: SCHOOL DISTRICTS AND SPECIAL SCHOOLS FLEXIBILITY) ALL SCHOOL DISTRICTS AND SPECIAL SCHOOLS OF THIS STATE MAY TRANSFER AND EXPEND FUNDS AMONG APPROPRIATED STATE GENERAL FUND REVENUES, EDUCATION IMPROVEMENT ACT FUNDS, EDUCATION LOTTERY ACT FUNDS, AND FUNDS RECEIVED FROM THE CHILDREN'S EDUCATION ENDOWMENT FUND FOR SCHOOL FACILITIES AND FIXED EQUIPMENT ASSISTANCE, TO ENSURE THE DELIVERY OF ACADEMIC AND ARTS INSTRUCTION TO STUDENTS. HOWEVER, A SCHOOL DISTRICT MAY NOT TRANSFER FUNDS REQUIRED FOR DEBT SERVICE OR BONDED INDEBTEDNESS. ALL SCHOOL DISTRICTS AND SPECIAL SCHOOLS OF THIS STATE MAY SUSPEND PROFESSIONAL STAFFING RATIOS AND EXPENDITURE REGULATIONS AND GUIDELINES AT THE SUB-FUNCTION AND SERVICE AREA LEVEL, EXCEPT FOR FOUR-YEAR OLD PROGRAMS.

 IN ORDER FOR A SCHOOL DISTRICT TO TAKE ADVANTAGE OF THE FLEXIBILITY PROVISIONS, AT LEAST *SIXTY-FIVE* PERCENT OF THE SCHOOL DISTRICT'S PER PUPIL EXPENDITURES MUST BE UTILIZED WITHIN THE IN$ITE CATEGORIES OF INSTRUCTION, INSTRUCTIONAL SUPPORT, AND NON-INSTRUCTION PUPIL SERVICES. NO PORTION OF THE *SIXTY-FIVE* PERCENT MAY BE USED FOR BUSINESS SERVICES, DEBT SERVICE, CAPITAL OUTLAY, PROGRAM MANAGEMENT, AND LEADERSHIP SERVICES, AS DEFINED BY IN$ITE. THE SCHOOL DISTRICT SHALL REPORT TO THE DEPARTMENT OF EDUCATION THE ACTUAL PERCENTAGE OF ITS PER PUPIL EXPENDITURES USED FOR CLASSROOM INSTRUCTION, INSTRUCTIONAL SUPPORT, AND NON-INSTRUCTION PUPIL SERVICES FOR THE SCHOOL YEAR ENDING JUNE 30, ~~2010~~ *2011*.

 "IN$ITE" MEANS THE FINANCIAL ANALYSIS MODEL FOR EDUCATION PROGRAMS UTILIZED BY THE DEPARTMENT OF EDUCATION.

 SCHOOL DISTRICTS ARE ENCOURAGED TO REDUCE EXPENDITURES BY MEANS, INCLUDING, BUT NOT LIMITED TO, LIMITING THE NUMBER OF LOW ENROLLMENT COURSES, REDUCING TRAVEL FOR THE STAFF AND THE SCHOOL DISTRICT'S BOARD, REDUCING AND LIMITING ACTIVITIES REQUIRING DUES AND MEMBERSHIPS, REDUCING TRANSPORTATION COSTS FOR EXTRACURRICULAR AND ACADEMIC COMPETITIONS, AND EXPANDING VIRTUAL INSTRUCTION.

 SCHOOL DISTRICTS AND SPECIAL SCHOOLS MAY CARRY FORWARD UNEXPENDED FUNDS FROM THE PRIOR FISCAL YEAR INTO THE CURRENT FISCAL YEAR.

 PRIOR TO IMPLEMENTING THE FLEXIBILITY AUTHORIZED HEREIN, SCHOOL DISTRICTS MUST PROVIDE TO PUBLIC CHARTER SCHOOLS THE PER PUPIL ALLOCATION DUE TO THEM FOR EACH CATEGORICAL PROGRAM.

 QUARTERLY THROUGHOUT THE ~~2009-10~~ *2010-11* FISCAL YEAR, THE CHAIRMAN OF EACH SCHOOL DISTRICT'S BOARD AND THE SUPERINTENDENT OF EACH SCHOOL DISTRICT MUST CERTIFY WHERE NON-INSTRUCTIONAL OR NON-ESSENTIAL PROGRAMS HAVE BEEN SUSPENDED AND THE SPECIFIC FLEXIBILITY ACTIONS TAKEN. THE CERTIFICATION MUST BE IN WRITING, SIGNED BY THE CHAIRMAN AND THE SUPERINTENDENT, DELIVERED ELECTRONICALLY TO THE STATE SUPERINTENDENT OF EDUCATION, AND AN ELECTRONIC COPY FORWARDED TO THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE SENATE EDUCATION COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, AND THE CHAIRMAN OF THE HOUSE EDUCATION AND PUBLIC WORKS COMMITTEE. ADDITIONALLY, THE CERTIFICATION MUST BE PRESENTED PUBLICLY AT A REGULARLY CALLED SCHOOL BOARD MEETING, AND THE CERTIFICATION MUST BE POSTED ON THE INTERNET WEBSITE MAINTAINED BY THE SCHOOL DISTRICT.

 FOR FISCAL YEAR ~~2009-10~~ *2010-11*, ~~SECTION~~ *SECTIONS* 59-21-1030 *AND 59-20-50(4)(A)* ~~IS~~ *ARE* SUSPENDED. ~~FORMATIVE~~ *STATE MANDATED ASSESSMENTS NOT REQUIRED BY NO CHILD LEFT BEHIND, FORMATIVE* ASSESSMENTS FOR GRADES ONE, TWO, AND NINE, THE FOREIGN LANGUAGE PROGRAM ASSESSMENT, *FINANCIAL LITERACY,* AND THE PHYSICAL EDUCATION ASSESSMENT MUST BE SUSPENDED. ~~NEW TEXTBOOK ADOPTIONS MAY BE SUSPENDED.~~ ~~NOTHING IN THIS PROVISION SUSPENDS, AMENDS, MODIFIES, OR OTHERWISE AUTHORIZES CHANGES IN THE MANNER IN WHICH TEXTBOOKS ARE PURCHASED.~~ *TEXTBOOK PURCHASES BEYOND THAT REQUIRED FOR REPLACEMENT OF INSTRUCTIONAL MATERIAL CURRENTLY ON THE STATE ADOPTED TEXTBOOK LIST MUST BE SUSPENDED. PRINTING OF SCHOOL AND DISTRICT REPORT CARDS SHALL BE SUSPENDED. THE DISTRICT OR SCHOOL SHALL EMAIL PARENTS A LINK TO THE REPORT CARDS IF THE SCHOOL MAINTAINS PARENT EMAIL ADDRESSES IN ITS STUDENT INFORMATION SYSTEM DATABASE. THE DISTRICT OR SCHOOL SHALL NOTIFY PARENTS ABOUT THE REPORT CARDS THROUGH ITS NEWSLETTERS AND OTHER REGULAR COMMUNICATION CHANNELS. IF A PARENT REQUESTS FROM THE DISTRICT OR SCHOOL A PRINTED COPY OF THE REPORT CARD, THE DISTRICT OR SCHOOL WILL PROVIDE THAT PRINTED COPY WITHOUT COST TO THE PARENT. ADDITIONALLY, SCHOOL DISTRICTS SHALL NOT BE REQUIRED TO ADVERTISE THE REPORT CARD RESULTS IN A NEWSPAPER OF GENERAL CIRCULATION IN THEIR AREA. THE RESULTS MUST BE PROVIDED TO THE EDITOR OF A NEWSPAPER OF GENERAL CIRCULATION IN THEIR AREA.* SCHOOL DISTRICTS AND THE DEPARTMENT OF EDUCATION ARE GRANTED PERMISSION TO PURCHASE THE MOST ECONOMICAL TYPE OF BUS FUEL.

 *FOR FISCAL YEAR 2010-11, SAVINGS GENERATED FROM THE SUSPENSION OF THE STATE MANDATED ASSESSMENTS, THE SUSPENSION OF NEW TEXTBOOKS ADOPTIONS, AND THE SUSPENSION OF REPORT CARD PRINTING ENUMERATED ABOVE MUST BE REDIRECTED TO THE EDUCATION FINANCE ACT FOR TEACHER SALARY PURPOSES.*

 SCHOOL DISTRICTS MUST MAINTAIN A TRANSACTION REGISTER THAT INCLUDES A COMPLETE RECORD OF ALL FUNDS EXPENDED OVER ONE HUNDRED DOLLARS, FROM WHATEVER SOURCE, FOR WHATEVER PURPOSE. THE REGISTER MUST BE PROMINENTLY POSTED ON THE DISTRICT’S INTERNET WEBSITE AND MADE AVAILABLE FOR PUBLIC VIEWING AND DOWNLOADING. THE REGISTER MUST INCLUDE FOR EACH EXPENDITURE:

 (I) THE TRANSACTION AMOUNT;

 (II) THE NAME OF THE PAYEE; AND

 (III) A STATEMENT PROVIDING A DETAILED DESCRIPTION OF THE EXPENDITURE.

 EACH SCHOOL DISTRICT MUST ALSO MAINTAIN ON ITS INTERNET WEBSITE A COPY OF EACH MONTHLY STATEMENT FOR ALL OF THE CREDIT CARDS MAINTAINED BY THE ENTITY, INCLUDING CREDIT CARDS ISSUED TO ITS OFFICERS OR EMPLOYEES FOR OFFICIAL USE. THE CREDIT CARD NUMBER ON EACH STATEMENT MUST BE REDACTED PRIOR TO POSTING ON THE INTERNET WEBSITE. EACH CREDIT CARD STATEMENT MUST BE POSTED NOT LATER THAN THE THIRTIETH DAY AFTER THE FIRST DATE THAT ANY PORTION OF THE BALANCE DUE AS SHOWN ON THE STATEMENT IS PAID.

 THE COMPTROLLER GENERAL MUST ESTABLISH AND MAINTAIN A WEBSITE TO CONTAIN THE INFORMATION REQUIRED BY THIS SECTION FROM A SCHOOL DISTRICT THAT DOES NOT MAINTAIN ITS OWN INTERNET WEBSITE. THE INTERNET WEBSITE MUST BE ORGANIZED SO THAT THE PUBLIC CAN DIFFERENTIATE BETWEEN THE SCHOOL DISTRICTS AND SEARCH FOR THE INFORMATION THEY ARE SEEKING.

 SCHOOL DISTRICTS THAT DO NOT MAINTAIN AN INTERNET WEBSITE MUST TRANSMIT ALL INFORMATION REQUIRED BY THIS PROVISION TO THE COMPTROLLER GENERAL IN A MANNER AND AT A TIME DETERMINED BY THE COMPTROLLER GENERAL TO BE INCLUDED ON THE INTERNET WEBSITE.

 THE COMPTROLLER GENERAL SHALL DISTRIBUTE TO THE DISTRICTS A METHODOLOGY AND RESOURCES FOR COMPLIANCE. IF A DISTRICT COMPLIES WITH THE METHODOLOGY, IT SHALL BE REIMBURSED FOR ANY DOCUMENTED EXPENSES INCURRED AS A RESULT OF COMPLIANCE. REIMBURSEMENT MUST BE FROM THE BUDGET OF THE COMPTROLLER GENERAL.

 THE PROVISIONS CONTAINED HEREIN DO NOT AMEND, SUSPEND, SUPERSEDE, REPLACE, REVOKE, RESTRICT, OR OTHERWISE AFFECT CHAPTER 4, TITLE 30, THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. WYLIE explained the amendment.

The amendment was then adopted.

Rep. J. R. SMITH proposed the following Amendment No. 43 (Doc Name h:\legwork\house\amend\H-WM\007\AFTERSCHOOL ALLI- ANCE.DOCX):

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 362, paragraph 1A.34, line 14, by inserting after Science PLUS,:

/the South Carolina Afterschool Alliance,/

Amend the bill further, as and if amended, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 362, paragraph 1A.34, line 16, by inserting after program:

/*EOC Family Involvement and Department of Education Business and Community Partnership*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. R. SMITH explained the amendment.

Rep. J. R. SMITH moved to adjourn debate on the amendment, which was agreed to.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CRAWFORD a temporary leave of absence.

Reps. LOFTIS and MERRILL proposed the following Amendment No. 82 (Doc Name h:\legwork\house\amend\H-WM\007\4K TARGET-ING.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 362, paragraph 1A.35, lines 24 and 25, by re-inserting after “on the” /basis of family income expressed as a percentage of the federal poverty guidelines, with the lowest family incomes/ and striking /*students educational needs. Students with the greatest educational needs shall be*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. MERRILL explained the amendment.

The amendment was then adopted.

**SPEAKER IN CHAIR**

Rep. G. R. SMITH proposed the following Amendment No. 144 (Doc Name h:\legwork\house\amend\H-WM\001\1A.37 GR SMITH.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 363, paragraph 1A.37, line 18, by inserting at the end:

/ *Charter schools serving artistically and academically high-achieving students as defined under the Department of Education regulations shall be included in their sponsoring districts’ number of students identified as artistically gifted and talented for funding purposes. Charter schools are entitled to receive these funds from their sponsoring districts.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. G. R. SMITH explained the amendment.

Rep. LOFTIS spoke in favor of the amendment.

Rep. PARKER moved to table the amendment.

Rep. LOFTIS demanded the yeas and nays which were taken, resulting as follows:

Yeas 69; Nays 44

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Dillard | Edge | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hiott | Hodges |
| Huggins | Hutto | Jefferson |
| Kelly | King | Kirsh |
| Knight | Lucas | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rutherford |
| Sandifer | Sellers | Simrill |
| Skelton | J. E. Smith | J. R. Smith |
| Sottile | Umphlett | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | T. R. Young |

**Total--69**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Cato | Clemmons | Daning |
| Delleney | Duncan | Erickson |
| Frye | Haley | Hamilton |
| Hearn | Horne | Hosey |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Neilson | Norman | Rice |
| Scott | D. C. Smith | G. M. Smith |
| G. R. Smith | Spires | Stavrinakis |
| Stewart | Stringer | Thompson |
| Toole | Vick | Viers |
| Wylie | A. D. Young |  |

**Total--44**

So, the amendment was tabled.

Rep. J. R. SMITH proposed the following Amendment No. 44 (Doc Name h:\legwork\house\amend\H-WM\007\EIA FUND BALANCE FOR TRANSPORTATION.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 364, paragraph 1A.41, line 14, by inserting at the end:

/*The Department may utilize any remaining balance for transportation purposes.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. R. SMITH explained the amendment.

The amendment was then adopted.

Rep. ANTHONY proposed the following Amendment No. 37 (Doc Name h:\legwork\house\amend\H-WM\007\364.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 364, after line 25, by adding an appropriately numbered paragraph to read:

/*(SDE-EIA: Teacher Loan Program) For the current fiscal year, any individual who received a South Carolina Teacher Loan pursuant to Section 59-26-20 (j), who completed an undergraduate or graduate degree in education in calendar year 2009 or 2010, and who was not employed in a public school in South Carolina by September 1, 2010 of the 2010-11 school year may elect to receive a one-year grace period allowing the individual to defer making loan repayments for one calendar year. Interest will be accrued during this deferral period. The South Carolina Student Loan Corporation will develop the forms and procedures to implement and monitor the grace period.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. ANTHONY explained the amendment.

The amendment was then adopted.

Reps. HALEY and BALLENTINE proposed the following Amendment No. 85 Doc Name h:\legwork\house\amend\H-WM\007\eoc elimination with savings to salaries.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION, page 364, after line 25, by adding an appropriately numbered paragraph to read:

/*1.A. EOC (Education Oversight Committee) The Education Oversight committee as established by Section 59-6-10 of the 1976 Code shall be suspended for Fiscal Year 2010-11. The duties, functions and responsibilities of the committee including the annual independent external evaluation of the Child Development Education Pilot Program shall be devolved to the State Board of Education for Fiscal Year 2010-11 and physical assets shall be transferred to the Board. Of the funds appropriated in Part IA Department of Education-EIA, Section XI.E.2. for EOC Public Relations and Part IA Department of Education-EIA, Section XI.F.2. for the Education Oversight Committee, EOC 4-year old Evaluation and EOC Family Involvement the Board shall utilize no more than $200,000 for “13th month” payments for salaries, benefits, accumulated annual leave, equipment leases, communications charges and any remaining services invoiced to the committee. The Board may also utilize these funds for payment of the agency share of COBRA for terminated employees. The Board is also directed to utilize not more than $275,000 to complete the annual CDEPP evaluation. Remaining funds are directed to Part 1A Department of Education-EIA Teacher Supplies. Unexpended funds from the prior year shall be carried forward and are directed to Part 1A Department of Education-EIA Teacher Supplies.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HALEY explained the amendment.

Rep. J. R. SMITH moved to table the amendment.

Rep. HALEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 80; Nays 33

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Cato | Clemmons | Clyburn |
| Cole | Cooper | Daning |
| Delleney | Edge | Erickson |
| Forrester | Gambrell | Gilliard |
| Hamilton | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Herbkersman | Horne | Hosey |
| Jefferson | Jennings | Kelly |
| Knight | Limehouse | Littlejohn |
| Lowe | Mack | McEachern |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | Neilson |
| Owens | Parker | Pinson |
| M. A. Pitts | Sandifer | Scott |
| Skelton | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Toole | Umphlett | Vick |
| Viers | Whipper | White |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--80**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Ballentine | Brantley |
| Chalk | Dillard | Duncan |
| Frye | Funderburk | Govan |
| Gunn | Haley | Harvin |
| Hiott | Huggins | Hutto |
| King | Kirsh | Long |
| Lucas | McLeod | Miller |
| Millwood | Norman | Parks |
| Rice | Rutherford | Sellers |
| Simrill | G. M. Smith | Stavrinakis |
| Thompson | Weeks | Whitmire |

**Total--33**

So, the amendment was tabled.

RECORD FOR VOTING

 I mistakenly voted to table Amendment No. 85. I wish my vote to be recorded as “nay” to the tabling motion. I then voted “nay” to tabling Amendment No. 162, which was the next amendment and was similar to Amendment No. 85. These amendments suspended the Education Oversight Committee for the next year.

Rep. Harry Cato

Rep. LUCAS proposed the following Amendment No. 162 (Doc Name h:\legwork\house\amend\H-WM\001\lucas eoc teacher salaries.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION, page 364, after line 25, by adding an appropriately numbered paragraph to read:

/*1.A. EOC (Education Oversight Committee) The Education Oversight committee as established by Section 59-6-10 of the 1976 Code shall be suspended for Fiscal Year 2010-11. The duties, functions and responsibilities of the committee including the annual independent external evaluation of the Child Development Education Pilot Program shall be devolved to the State Board of Education for Fiscal Year 2010-11 and physical assets shall be transferred to the Board. Of the funds appropriated in Part IA Department of Education-EIA, Section XI.E.2. for EOC Public Relations and Part IA Department of Education-EIA, Section XI.F.2. for the Education Oversight Committee, EOC 4-year old Evaluation and EOC Family Involvement the Board shall utilize no more than $200,000 for “13th month” payments for salaries, benefits, accumulated annual leave, equipment leases, communications charges and any remaining services invoiced to the committee. The Board may also utilize these funds for payment of the agency share of COBRA for terminated employees. The Board shall be responsible for providing not less than $75,000 to the Middle Grades Project and $100,000 to the Council on Economic Education. The Board is also directed to utilize not more than $275,000 to complete the annual CDEPP evaluation. Remaining funds are directed to Part IA Department of Education-EIA Teacher Salaries. Unexpended funds from the prior year shall be carried forward and are directed to Part IA Department of Education-EIA. Teacher Salaries.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. LUCAS explained the amendment.

Rep. COOPER moved to table the amendment.

Rep. FUNDERBURK demanded the yeas and nays which were taken, resulting as follows:

Yeas 75; Nays 34

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | G. A. Brown | H. B. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cole | Cooper | Daning |
| Delleney | Edge | Erickson |
| Forrester | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hayes |
| Hearn | Hodges | Horne |
| Hosey | Jefferson | Jennings |
| Kelly | Kirsh | Limehouse |
| Lowe | Mack | McEachern |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Owens | Parker |
| Pinson | Sandifer | Scott |
| Skelton | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Toole | Umphlett | Vick |
| Viers | White | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--75**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Ballentine |
| Brantley | Cato | Chalk |
| Duncan | Frye | Funderburk |
| Gunn | Haley | Harvin |
| Hiott | Huggins | Hutto |
| King | Knight | Long |
| Lucas | McLeod | Miller |
| Millwood | Neilson | Norman |
| Rice | Rutherford | Sellers |
| Simrill | G. M. Smith | Stavrinakis |
| Thompson | Weeks | Whipper |
| Whitmire |  |  |

**Total--34**

So, the amendment was tabled.

Reps. OWENS, COOPER and J. R. SMITH proposed the following Amendment No. 171 (Doc Name h:\legwork\house\amend\H-WM\007\EOC TRANSFER TO SUPPLIES.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 364, after line 25, by adding an appropriately numbered paragraph to read:

/ *(SDE-EIA: Education Oversight Committee Transfer) For Fiscal Year 2010-11 the Education Oversight Committee is directed to transfer $250,000 to Teacher Supplies.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. OWENS explained the amendment.

The amendment was then adopted.

Reps. MERRILL, HALEY and OTT proposed the following Amendment No. 186 (Doc Name h:\legwork\house\amend\H-WM\001\1a.23 merged m&o.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 359, paragraph 1A.23, by amending the Amendment No. 70 sub, Doc No. H:\legwork\house\amend\h-wm\007\ newspaper advertisement change to 1A.23 corrected.docx page 2 of the amendment, by striking: / sixty-five / and inserting: / *seventy* /

Amend the amendment further, page 3 of the amendment by striking: / sixty-five / and inserting: / *seventy* /

Amend the amendment further, page 3 of the amendment, after “2011.” by inserting:

/‘*Salaries of on-site principals must be included in the calculation of the district’s per pupil expenditures./*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COOPER explained the amendment.

The amendment was then adopted.

Rep. J.R. SMITH proposed the following Amendment No. 43 (Doc Name h:\legwork\house\amend\H-WM\007\AFTERSCHOOL ALLI-ANCE.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 362, paragraph 1A.34, line 14, by inserting after Science PLUS,:

/the South Carolina Afterschool Alliance,/

Amend the bill further, as and if amended, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 362, paragraph 1A.34, line 16, by inserting after program:

/ *EOC Family Involvement and Department of Education Business and Community Partnership*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. R. SMITH moved to table the amendment, which was agreed to.

Section 1A, as amended, was adopted.

**SECTION 3**

Section 3 was adopted.

**SECTION 5**

Section 5 was adopted.

**SECTION 6--AMENDED AND ADOPTED**

Rep. DANING proposed the following Amendment No. 33 (Doc Name h:\legwork\house\amend\H-WM\006\MILITARY TUI-TION.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, after line 5, by adding an appropriately numbered paragraph to read:

/ *(CHE: In-state Tuition for Military Personnel and Dependents) During the period of their assignment to South Carolina, members of the armed services of the United States stationed in South Carolina and their dependents are eligible for in-state tuition rates. When these armed service personnel are ordered away from the State, their dependents are eligible for in-state tuition rates as long as they remain continuously enrolled at the state institution in which they are enrolled at the time the assignment ends or transfer to an eligible institution during the term or semester, excluding summer terms, immediately following their enrollment at the previous institution. In the event of a transfer, the receiving institution shall verify the decision made by the student’s previous institution in order to certify the student’s eligibility for in-state tuition rates. It is the responsibility of the transferring student to ensure that all documents required to verify both the previous and present residency decisions are provided to the institution. These persons and their dependents are eligible for in-state rates after their discharge from the armed services even though they were not enrolled at a state institution at the time of their discharge, if they have evidenced an intent to establish domicile in South carolina and if they have resided in South Carolina for a period of at least twelve months immediately preceding their discharge.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. DANING explained the amendment.

The amendment was then adopted.

Rep. UMPHLETT proposed the following Amendment No. 75 (Doc Name h:\legwork\house\amend\H-WM\006\IN STATE OUT STATE.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, after line 5, by adding an appropriately numbered paragraph to read:

/*(CHE: Out of State Tuition Rates) Notwithstanding Sections 59-112-110 and 59-112-120 of the 1976 Code, any out of state student attending a south carolina state supported institution of higher learning shall be required to pay out of state tuition rates.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. UMPHLETT explained the amendment.

Rep. UMPHLETT moved to table the amendment, which was agreed to.

Reps. UMPHLETT and MERRILL proposed the following Amendment No. 104 (Doc Name h:\legwork\house\amend\H-WM\006\in state, out state 2.docx):

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, after line 5, by adding an appropriately numbered paragraph to read:

/*(CHE: Out of State Tuition Rates) Notwithstanding Sections 59-112-110 and 59-112-120 of the 1976 Code, any out of state student, defined as geographic origin at the time of admission and enrollment, attending a south carolina state supported institution of higher learning shall be required to pay out of state tuition rates.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. UMPHLETT explained the amendment.

Rep. UMPHLETT moved to adjourn debate on the amendment, which was agreed to.

Rep. BINGHAM proposed the following Amendment No. 151 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\BBM\9663 HTC10.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, by adding an appropriately numbered paragraph to read:

/ *6.\_\_ (CHE: LIFE and Palmetto Fellows Enhancement Stipends) In the current fiscal year before fall awards are made, to continue eligibility for LIFE and Palmetto Fellows Enhancement Stipends, students shall certify and the institutions shall verify that the student is meeting all requirements as stipulated by the policies established by the institution and the academic department to be enrolled as a declared major in an eligible program and is making academic progress toward completion of the student*’*s declared eligible major. These determinations are subject to the verification and audit of the Commission of Higher Education. Institutions shall return funds determined to have been awarded to ineligible students.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BINGHAM explained the amendment.

The amendment was then adopted.

Rep. HERBKERSMAN proposed the following Amendment No. 99 (Doc Name h:\legwork\house\amend\H-WM\006\PUBLIC,PRIVATE COLLEGE FUNDING.DOCX):

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, after line 5, by adding an appropriately numbered paragraph to read:

/ *(CHE:Private Institution Funding Limitation ) Funds appropriated to private higher education institutions from state revenue must be less than the lowest base funding for any state supported college or university.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HERBKERSMAN explained the amendment.

Rep. HERBKERSMAN moved to adjourn debate on the amendment, which was agreed to.

Rep. VIERS proposed the following Amendment No. 140 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\NBD\12055AC 10.DOCX):

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, immediately after line 5, by adding an appropriately numbered paragraph to read:

/6.\_\_ *(CHE: Athletic tickets) Effective for this fiscal year, members of the Commission on Higher Education may not receive complimentary tickets to athletic events for public institutions of higher learning.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. VIERS explained the amendment.

Rep. VIERS moved to adjourn debate on the amendment, which was agreed to.

Rep. VIERS proposed the following Amendment No. 136 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\NBD\12052AC 10.DOCX):

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, immediately after line 2, by adding an appropriately numbered paragraph to read:

/6.\_\_*(CHE: Lobbyist pay) If the Commission on Higher Education employs or contracts with an individual to perform lobbying services for the commission, the commission may not expend state funds to pay the lobbyist.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. VIERS explained the amendment.

Rep. VIERS moved to adjourn debate on the amendment, which was agreed to.

Reps. UMPHLETT and MERRILL proposed the following Amendment No. 104 (Doc Name h:\legwork\house\amend\H-WM\006\in state, out state 2.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, after line 5, by adding an appropriately numbered paragraph to read:

/*(CHE: Out of State Tuition Rates) Notwithstanding Sections 59-112-110 and 59-112-120 of the 1976 Code, any out of state student, defined as geographic origin at the time of admission and enrollment, attending a south carolina state supported institution of higher learning shall be required to pay out of state tuition rates.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. UMPHLETT explained the amendment.

Rep. UMPHLETT moved to table the amendment, which was agreed to.

Rep. HERBKERSMAN proposed the following Amendment No. 99 (Doc Name h:\legwork\house\amend\H-WM\006\PUBLIC,PRIVATE COLLEGE FUNDING.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, after line 5, by adding an appropriately numbered paragraph to read:

/ *(CHE:Private Institution Funding Limitation ) Funds appropriated to private higher education institutions from state revenue must be less than the lowest base funding for any state supported college or university.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HERBKERSMAN moved to table the amendment, which was agreed to.

Rep. VIERS proposed the following Amendment No. 136 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\NBD\12052AC 10.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, immediately after line 2, by adding an appropriately numbered paragraph to read:

/6.\_\_*(CHE: Lobbyist pay) If the Commission on Higher Education employs or contracts with an individual to perform lobbying services for the commission, the commission may not expend state funds to pay the lobbyist.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. VIERS moved to table the amendment, which was agreed to.

Rep. VIERS proposed the following Amendment No. 140 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\NBD\12055AC 10.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 375, immediately after line 5, by adding an appropriately numbered paragraph to read:

/6.\_\_ *(CHE: Athletic tickets) Effective for this fiscal year, members of the Commission on Higher Education may not receive complimentary tickets to athletic events for public institutions of higher learning.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. VIERS moved to table the amendment, which was agreed to.

The question then recurred to the adoption of the Section.

The yeas and nays were taken resulting as follows:

 Yeas 99; Nays 12

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Brantley | H. B. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Duncan |
| Edge | Erickson | Forrester |
| Frye | Gambrell | Govan |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hearn | Herbkersman |
| Hiott | Hodges | Horne |
| Huggins | Jefferson | Jennings |
| Kelly | Kirsh | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Merrill | Miller | Millwood |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| J. R. Smith | Sottile | Spires |
| Stewart | Stringer | Thompson |
| Toole | Umphlett | Vick |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--99**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Funderburk | Gilliard | Gunn |
| Hutto | King | Rutherford |
| Sellers | G. R. Smith | J. E. Smith |
| Stavrinakis | Weeks | Williams |

**Total--12**

Section 6, as amended, was adopted.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. D. C. SMITH a leave of absence for the remainder of the day.

Rep. COOPER moved that the House recede until 7:30 p.m., which was agreed to.

Further proceedings were interrupted by the House receding, the pending question being consideration of Part IB.

**THE HOUSE RESUMES**

At 7:30 p.m. the House resumed, Acting Speaker KIRSH in the Chair.

**ACTING SPEAKER LITTLEJOHN IN CHAIR**

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**H. 4657--AMENDED AND INTERRUPTED DEBATE**

Debate was resumed on the following Bill, the pending question being the consideration of Part IB.

**H. 4657--THE GENERAL APPROPRIATION BILL**

H. 4657 -- 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, 2010, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THIS OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

**SECTION 9**

Section 9 was adopted.

**SECTION 22**

Section 22 was adopted.

**SECTION 23**

Section 23 was adopted.

**SECTION 24--AMENDED AND ADOPTED**

Rep. RICE proposed the following Amendment No. 61 (Doc Name h:\house\amend\H-WM\004\DDSN DEBT SERVICE.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 24, DEPARTMENT OF DISABILITIES & SPECIAL NEEDS, page 398, after line 3, by adding an appropriately numbered paragraph to read:

/*The Department shall utilize the dollars in their debt service account, account E164660, for operations and services that are not funded in the appropriations bill.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. RICE explained the amendment.

The amendment was then adopted.

Rep. R. L. BROWN proposed the following Amendment No. 161 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\MS\ 7768AHB10.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 24, DEPARTMENT OF DISABILITIES & SPECIAL NEEDS, page 396, paragraph 24.2, lines 23 through 26, by amending the paragraph to read:

/ *24.2. (DDSN: Sale of Excess Real Property and Other Surplus Property) The department is authorized to retain one hundred percent of the revenues associated with the sale of excess real property and surplus property, including but not limited to, equipment, physical plants, or other structures owned by, under the control of, or assigned to the department and may expend these funds ~~as grants to purchase or build community residences and day program facilities for the individuals DDSN serves~~ to offset state imposed permanent or one-time reductions for fiscal year 2010/2011. The department shall follow all the policies and procedures of the Budget and Control Board and the Joint Bond Review Committee. /*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. R. L. BROWN explained the amendment.

Rep. EDGE spoke against the amendment.

Rep. EDGE moved to table the amendment.

Rep. R. L. BROWN demanded the yeas and nays which were taken, resulting as follows:

Yeas 60; Nays 48

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Bannister |
| Barfield | Bingham | Bowen |
| Brady | H. B. Brown | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Delleney | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Herbkersman |
| Hiott | Horne | Kelly |
| Kirsh | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Millwood | D. C. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Thompson | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |

**Total--60**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Ballentine |
| Bedingfield | Bowers | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Daning |
| Dillard | Gilliard | Gunn |
| Haley | Hart | Harvin |
| Hayes | Hodges | Hosey |
| Hutto | Jefferson | Knight |
| Littlejohn | Mack | McEachern |
| McLeod | Miller | Mitchell |
| V. S. Moss | J. H. Neal | Neilson |
| Ott | Parks | Scott |
| Simrill | Skelton | J. E. Smith |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams | T. R. Young |

**Total--48**

So, the amendment was tabled.

Section 24, as amended, was adopted.

**SECTION 25**

Section 25 was adopted.

**SECTION 26--AMENDED AND ADOPTED**

Rep. SKELTON proposed the following Amendment No. 120 (Doc Name h:\legwork\house\amend\H-WM\004\DSS ABSTINENCE ONLY FUNDING.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 26, DEPARTMENT OF SOCIAL SERVICES, page 402, paragraph 26.22, line 33, by inserting after Section 510(b)(2).:

/*Any entity that is awarded one of the above contracts must agree to provide data to verify the program effectiveness.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SKELTON explained the amendment.

Rep. LOFTIS moved to table the amendment.

Rep. MILLER demanded the yeas and nays which were taken, resulting as follows:

Yeas 5; Nays 103

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Cooper | Edge | Loftis |
| M. A. Pitts | White |  |

**Total--5**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cole | Daning | Delleney |
| Dillard | Duncan | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Harvin | Hayes | Hearn |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Hutto |
| Jefferson | Kelly | Kirsh |
| Knight | Limehouse | Littlejohn |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Miller | Millwood | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Parks | Pinson | Rice |
| Sandifer | Scott | Sellers |
| Simrill | Skelton | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Thompson | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--103**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment, which was agreed to.

Rep. EDGE proposed the following Amendment No. 179 (Doc Name h:\legwork\house\amend\H-WM\004\THERAPEUTIC FOSTER CARE.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 26, DEPARTMENT OF SOCIAL SERVICES, page 403, after line 7, by adding an appropriately numbered paragraph to read:

/ *Of the funds provided to the agency, $100,000 shall be directed to provide medicaid dollars for therapeutic foster care services.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. EDGE explained the amendment.

The amendment was then adopted.

Section 26, as amended, was adopted.

**SECTION 29**

Rep. LIMEHOUSE explained the Section.

Section 29 was adopted.

**SECTION 30**

Section 30 was adopted.

**SECTION 31**

Section 31 was adopted.

**SECTION 33**

Section 33 was adopted.

**SECTION 35**

Section 35 was adopted.

**SECTION 37--ADOPTED**

Reps. MCLEOD and BOWERS proposed the following Amendment No. 159 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\ NBD\12049ac10.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 37, DEPARTMENT OF NATURAL RESOURCES, page 411, immediately after line 5 by adding an appropriately numbered paragraph to read:

/*37.\_\_(DNR Timber Harvest) Effective for the current fiscal year, proceeds from timber harvested by the Department of Natural Resources must be distributed as follows: fifty percent must be distributed to the department and fifty percent must be distributed between the county and school district from which the timber was harvested based upon the county’s and school district’s pro rata share of property taxes.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. MCLEOD explained the amendment.

Rep. BOWERS spoke in favor of the amendment.

Rep. A. D. YOUNG moved to table the amendment, which was agreed to.

Reps. MCLEOD and BOWERS proposed the following Amendment No. 193 (Doc Name H:\LEGWORK\HOUSE\AMEND\ COUNCIL\MS\7777AHB10.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 37, DEPARTMENT OF NATURAL RESOURCES, page 411, immediately after line 5 by adding an appropriately numbered paragraph to read:

/*37.\_\_(DNR Timber Harvest) Effective for the current fiscal year, proceeds from timber harvested by the Department of Natural Resources must be distributed as follows: seventy‑five percent must be distributed to the department and twenty‑five percent must be distributed between the county and school district from which the timber was harvested based upon the county*’*s and school district*’*s pro rata share of property taxes.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BOWERS explained the amendment.

Rep. LITTLEJOHN spoke upon the amendment.

Rep. MCLEOD spoke in favor of the amendment.

Rep. A. D. YOUNG moved to table the amendment, which was agreed to.

Section 37 was adopted.

**SECTION 38**

Section 38 was adopted.

**SECTION 39--AMENDED AND ADOPTED**

Rep. WHITE proposed the following Amendment No. 10 (Doc Name h:\legwork\house\amend\H-WM\005\TECHNICAL REVISION TO PRT PROVISO.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 39, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 413, paragraph 39.12, line 14, by inserting after incentive:

/*wage* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. WHITE explained the amendment.

The amendment was then adopted.

Section 39, as amended, was adopted.

**SECTION 40**

Section 40 was adopted.

**SECTION 43**

Section 43 was adopted.

**SECTION 45**

Section 45 was adopted.

**SECTION 46**

Section 46 was adopted.

**SECTION 52**

Section 52 was adopted.

**SECTION 53**

Section 53 was adopted.

**SECTION 54**

Section 54 was adopted.

**SECTION 55**

Section 55 was adopted.

**SECTION 58**

Section 58 was adopted.

**SECTION 64**

Section 64 was adopted.

**SECTION 65--AMENDED AND ADOPTED**

Rep. CRAWFORD proposed the following Amendment No. 117 (Doc Name h:\legwork\house\amend\H-WM\008\IMMIGRATION BILL FUNDING.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 65, DEPARTMENT OF LABOR, LICENSING AND REGULATION, page 442, paragraph 65.8, line 13, by inserting at the end:

/*The Department shall compile an accountability report outlining expenditures of the Immigration Bill Funding to be issued to the President Pro Tempore of the Senate, the Chairman of the Senate Finance Committee, the Chairman of the Senate Transportation and Regulatory Committee, the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, and the Chairman of the House Transportation and Regulatory Committee. Said report must be issued on the first Tuesday of February 2011.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BINGHAM explained the amendment.

The amendment was then adopted.

Rep. SANDIFER proposed the following Amendment No. 15 (Doc Name h:\legwork\house\amend\H-WM\006\llr info request 2.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 65, DEPARTMENT OF LABOR, LICENSING AND REGULATION, page 443, after line 7, by adding an appropriately numbered paragraph to read:

/ *(LLR: Release of Information) If a Professional and Occupational Licensing Board operating under the purview of the department requests information, such information must be provided in a timely manner.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SANDIFER explained the amendment.

Section 65, as amended, was adopted.

**SECTION 67**

Section 67 was adopted.

**SECTION 72**

Section 72 was adopted.

**SECTION 73**

Section 73 was adopted.

**SECTION 75**

Section 75 was adopted.

**SECTION 78**

Section 78 was adopted.

**SECTION 79--ADOPTED**

Reps. WILLIAMS, NEILSON and LUCAS proposed the following Amendment No. 185 (Doc Name h:\legwork\house\amend\H-WM\005\REINSTATE PROVISO 79.1.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 79, ELECTION COMMISSION, page 463, after line 28, by adding an appropriately numbered paragraph to read:

/     79.    (ELECT: County Registration Board and County Election Commission Compensation)  The amounts appropriated in this section for "County Registration Board Members and County Election Commissioners", shall be disbursed annually to the County Treasurer at the rate of $1,500 for each member, not to exceed $12,500 per county.  The County Treasurer shall use these funds only for the compensation of County Registration Board Members and County Election Commissioners.  Any funds not used for this purpose shall be returned to the State Treasurer.  These funds are exempted from mandated budget reductions.  In addition, in the calculation of any across the board agency base reductions mandated by the Budget and Control Board or the General Assembly, the amount of funds appropriated for compensation of County Registration Board Members and County Election Commissioners shall be excluded from the agency's base budget. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. WILLIAMS explained the amendment.

Rep. WHITE spoke against the amendment.

Rep. LUCAS spoke in favor of the amendment.

Rep. WHITE moved to table the amendment.

Rep. VICK demanded the yeas and nays which were taken, resulting as follows:

Yeas 65; Nays 39

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cobb-Hunter |
| Cole | Cooper | Daning |
| Duncan | Edge | Erickson |
| Forrester | Frye | Gambrell |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Harvin |
| Hearn | Herbkersman | Hiott |
| Huggins | Kelly | Limehouse |
| Loftis | Lowe | McLeod |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| J. R. Smith | Sottile | Spires |
| Stewart | Stringer | Thompson |
| Toole | Umphlett | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--65**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Bales | Bowers |
| Branham | Brantley | H. B. Brown |
| R. L. Brown | Clyburn | Delleney |
| Dillard | Funderburk | Gilliard |
| Gunn | Hayes | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Knight |
| Lucas | Mack | McEachern |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Sellers | Stavrinakis |
| Vick | Weeks | Williams |

**Total--39**

So, the amendment was tabled.

Section 79 was adopted.

**SECTION 80A**

Section 80A was adopted.

**SECTION 80C--AMENDED AND ADOPTED**

Rep. SELLERS proposed the following Amendment No. 187 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\AGM\19947 BH10.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 80C, B&C BD-EMPLOYEE BENEFITS, page 475, paragraph 80C.2, line 31-33, by striking the item in its entirety and inserting:

/ *80C.2. (BCB/EB: Funding abortions prohibited) No funds appropriated for employer contributions to the State Health Insurance Plan may be expended to reimuburse the expenses of an abortion, except in the cases of rape, incest, or where the life of the mother is in jeopardy, and the State Health Plan may not offer coverage for abortion services.* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SELLERS explained the amendment.

Rep. DELLENEY spoke against the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. NANNEY spoke against the amendment.

Rep. SELLERS spoke in favor of the amendment.

Rep. BRANHAM spoke upon the amendment.

Rep. DELLENEY moved to table the amendment.

Rep. SIMRILL demanded the yeas and nays which were taken, resulting as follows:

Yeas 53; Nays 58

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Cato |
| Chalk | Cole | Cooper |
| Daning | Delleney | Duncan |
| Erickson | Forrester | Frye |
| Haley | Hamilton | Herbkersman |
| Hiott | Horne | Kelly |
| Limehouse | Littlejohn | Loftis |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | G. R. Smith | J. R. Smith |
| Spires | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| White | Whitmire | Willis |
| Wylie | T. R. Young |  |

**Total--53**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Barfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | H. B. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Dillard | Edge |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Harrell |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hodges |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kirsh | Knight | Long |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Ott | Parks |
| Rutherford | Sellers | Skelton |
| Sottile | Stavrinakis | Vick |
| Weeks | Whipper | Williams |
| A. D. Young |  |  |

**Total--58**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

Rep. SIMRILL demanded the yeas and nays which were taken, resulting as follows:

Yeas 57; Nays 54

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Bowen |
| Bowers | Brady | Branham |
| Brantley | H. B. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hodges | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Knight |
| Limehouse | Long | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Ott | Parks | Rutherford |
| Sellers | Skelton | Sottile |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams | A. D. Young |

**Total--57**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Cato | Chalk | Cole |
| Crawford | Daning | Delleney |
| Duncan | Edge | Erickson |
| Forrester | Frye | Haley |
| Hamilton | Herbkersman | Hiott |
| Horne | Kelly | Kirsh |
| Littlejohn | Loftis | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| G. R. Smith | J. R. Smith | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | White | Whitmire |
| Willis | Wylie | T. R. Young |

**Total--54**

So, the amendment was adopted.

Section 80C, as amended, was adopted.

RECORD FOR VOTING

 I wish to vote “nay” on Section 80C of the Appropriation Bill.

Rep. Joey Millwood

RECORD FOR VOTING

 I wish to be recorded as voting “nay” on Section 80C of the Appropriation Bill.

Rep. Eric Bedingfield

**SECTION 81--AMENDED AND ADOPTED**

Rep. WHITE proposed the following Amendment No. 147 (Doc Name h:\legwork\house\amend\H-WM\001\DOR EST TAX PAYMENT.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 81, DEPARTMENT OF REVENUE, page 477, after line 11, by adding an appropriately numbered paragraph to read:

/ *(DOR: Penalty Relief) The Department of Revenue will waive interest and penalties for state estimated quarterly individual income tax payments for qualifying individuals who comply with Section 1212 of federal P.L. 111-5. An individual is considered a qualified individual for purposes of South Carolina penalty waiver if the individual meets the adjusted gross income requirement and the 50% of gross income from a small business requirement contained in Section 1212 for South Carolina or federal purposes.*/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. WHITE explained the amendment.

The amendment was then adopted.

Section 81, as amended, was adopted.

**SECTION 86--ADOPTED**

Rep. NANNEY proposed the following Amendment No. 79 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\DKA\3948DW 10.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 86, AID TO SUBDIVISIONS-STATE TREASURER, page 479, after line 8, by inserting an appropriately numbered paragraph to read:

/ *86.\_\_.\_ (POSTING NOTICES ON WEBSITES) (A) Effective for the current fiscal year, a municipality or county required by law to post a notice in a newspaper may post the notice on the website of the municipality or county.*

 *(B) Upon request, a county library or county government office shall print the notice, free of charge, to a person requesting in person the notice.*

 *(C) Nothing in this paragraph requires a municipality or county to provide or maintain a website.*

 *(D) The posting of a notice pursuant to the provisions of this paragraph satisfies all statutory requirements to post a notice in a newspaper.”* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. NANNEY explained the amendment.

Rep. OTT moved to table the amendment, which was agreed to.

Section 86 was adopted.

**MOTION ADOPTED**

Rep. COOPER moved that when the House adjourns today, it adjourns to meet at 9:30 a.m. tomorrow, which was agreed to.

Rep. COOPER moved that the House do now adjourn.

Rep. SIMRILL demanded the yeas and nays which were taken, resulting as follows:

Yeas 75; Nays 35

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Bannister |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| R. L. Brown | Cato | Chalk |
| Clyburn | Cobb-Hunter | Cooper |
| Dillard | Duncan | Edge |
| Erickson | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Harrell | Harrison | Hart |
| Harvin | Hayes | Herbkersman |
| Hodges | Horne | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | Knight | Limehouse |
| Long | Mack | McEachern |
| McLeod | Mitchell | D. C. Moss |
| Nanney | J. H. Neal | Neilson |
| Ott | Owens | Parks |
| M. A. Pitts | Rutherford | Sandifer |
| Sellers | Skelton | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Weeks | White |
| Whitmire | Williams | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--75**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Bedingfield | H. B. Brown | Clemmons |
| Cole | Crawford | Daning |
| Delleney | Forrester | Gunn |
| Haley | Hardwick | Hearn |
| Hiott | Kelly | Kirsh |
| Littlejohn | Loftis | Lowe |
| Lucas | Merrill | Miller |
| Millwood | V. S. Moss | Norman |
| Parker | Pinson | Rice |
| Scott | Simrill | G. R. Smith |
| Stewart | Thompson |  |

**Total--35**

So, the motion to adjourn was agreed to.

**MOTION NOTED**

Rep. COOPER moved to reconsider the vote whereby Part IA, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15A, 15B, 15C, 15D, 15E, 15F, 15G, 15H, 16, 17A, 17B, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68A, 68B, 68C, 68D, 70A, 70B, 70C, 70D, 70E, 70F, 71, 72A, 72B, 72C, 73, 74, 75, 76, 77, 78, 79, 80A, 80B, 80C, 80D, 81, 82, 83, 84, 86, 86A, 87 and 88; Part IB, Sections 1, 1A, 2, 3, 4, 5, 6, 9, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 43, 44, 45, 46, 47, 48, 49, 49A, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 62, 63, 64, 65, 66, 67, 68A, 68D, 69, 70, 71, 72, 73, 74, 75, 76, 78, 79, 80A, 80C, 81, 82, 83, 84 and 86 were adopted, which was agreed to.

Further proceedings were interrupted by adjournment, the pending question being consideration of Part IB.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4732 -- Reps. Barfield, Viers, Simrill, G. R. Smith, Harrison, Bedingfield, Cato, Clemmons, Hamilton, Hardwick, Harrell, T. R. Young, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Battle, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Chalk, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Skelton, D. C. Smith, G. M. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie and A. D. Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE HALEY BARBOUR, GOVERNOR OF MISSISSIPPI, FOR HIS MANY YEARS OF PUBLIC SERVICE TO THE PEOPLE OF THE UNITED STATES, AND TO EXTEND TO HIM A CORDIAL WELCOME TO THE PALMETTO STATE ON MONDAY, MARCH 15, 2010.

**ADJOURNMENT**

At 10:43 p.m. the House, in accordance with the motion of Rep. WILLIAMS, adjourned in memory of Roy and Ruby Shingler of Santee, to meet at 9:30 a.m. tomorrow.

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