

NO. 1

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, DECEMBER 6, 2016

Tuesday, December 6, 2016
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

In Jeremiah the Lord declares:

“ For I know the plans I have for you. . .plans to prosper you and not to harm you, plans to give you hope and a future. ” (Jeremiah 29:11)

Good friends, join me as we bow in prayer:

Merciful God, truly, a notable amount of energetic debate, even a healthy dose of creative compromise and maneuvering, has taken place here in this Senate Chamber since back in January. As a result, many worthwhile decisions have indeed been made, and a number of actions that will benefit our citizens are in place. For those, O God, we give our heartfelt thanksgiving. Nonetheless, Lord, we recognize that there remain significant issues that this Body needs to address in the year ahead, and so we pray today that you will grant each of these servants -- staff members alike -- a true sense of confident hope for the future. After all, the women, men and children of South Carolina deserve and expect no less than this Senate's very best. This we pray in Your loving and ever hopeful name, dear Lord. Amen.

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

COMMUNICATIONS RECEIVED

Office of the Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201
December 1, 2016

South Carolina Senate
Office of the Clerk
Jeffrey S. Gossett, Clerk
P.O. Box 142
Columbia, SC 29202

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Dear Mr. Gossett:

The State Election Commission has certified to this office by mail the winners of Federal Offices, State Senate, State House of Representatives, and Solicitors, in the General Election held on November 8, 2016, as reflected in the enclosed winner's report.

The attached hereby certifies the results of the November 8, 2016, General Election.

Sincerely,
/s/ Mark Hammond
Secretary of State

South Carolina Election Commission
1205 Pendleton Street
Columbia, SC 29201
November 21, 2016

Honorable Mark Hammond
Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201

Dear Mr. Secretary:

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies the winners of Federal Offices, State Senate, State House of Representatives, and Solicitor, in the General Election held on November 8, 2016, as reflected in the enclosed winner's report.

Sincerely,
/s/ Marci Andino
Executive Director

SENATE MEMBERS
2016 Election Results

District

- 1 Thomas C. Alexander
- 2 Rex Rice
- 3 Kevin L. Bryant
- 4 Michael "Mike" Gambrell
- 5 Thomas D. "Tom" Corbin
- 6 William Timmons

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- 7 Karl B. Allen
- 8 Ross Turner
- 9 Daniel B. “Danny” Verdin III
- 10 Floyd Nicholson
- 11 Glenn G. Reese
- 12 Scott Talley
- 13 Shane R. Martin
- 14 Harvey S. Peeler
- 15 Climer, David Wesley “Wes”
- 16 Chauncey K. “Greg” Gregory
- 17 Michael “Mike” Fanning
- 18 Ronnie W. Cromer
- 19 John L. Scott, Jr.
- 20 John E. Courson
- 21 Darrell Jackson
- 22 Mia McLeod
- 23 Katrina F. Shealy
- 24 Thomas R. “Tom” Young, Jr.
- 25 A. Shane Massey
- 26 Nikki G. Setzler
- 27 Vincent A. Sheheen
- 28 Greg Hembree
- 29 Gerald Malloy
- 30 Kent M. Williams
- 31 Hugh K. Leatherman, Sr.
- 32 Ronnie A. Sabb
- 33 Luke A. Rankin
- 34 Stephen L. Goldfinch, Jr.
- 35 J. Thomas McElveen III
- 36 Kevin L. Johnson
- 37 Lawrence K. “Larry” Grooms
- 38 Sean Bennett
- 39 John W. Matthews, Jr.
- 40 Brad Hutto
- 41 Sandra J. “Sandy” Senn
- 42 Marlon E. Kimpson
- 43 George E. “Chip” Campsen III
- 44 Paul G. Campbell, Jr.
- 45 Margie Bright Matthews
- 46 Thomas C. “Tom” Davis

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**Administration of Oath of Office
Senators Sworn In**

The Senators presented themselves at the Bar and the Oath of Office was administered to them by the PRESIDENT.

Remarks by Senator CLIMER

Thank you, Mr. PRESIDENT. What an honor it is to stand here in the well of this Senate. To the people of York County, thank you for the privilege of serving you. I know I will not get it right all the time but I will work as hard as I can to serve you here with the integrity and care that you so well deserve.

Mr. PRESIDENT, I am joined here today by my wife, Martie, who is over there, a proud but recovering Texan, who has come to love her new found South Carolina so much so that she is even coming around to the fact that real barbecue is made of pork and not beef. With Martie are our four children: Jack, a kindergartener at Richmond Drive, Monroe, who is in Pre-K at Winthrop's Macfeat School, Betsy, who is making sure we notice she is here. She is not yet two, but she already rules the place. And our new son Henry, who is almost 4 months old. The Lord has blessed me, far beyond my deserving, with this wonderful family and I am so thrilled y'all are here.

Mr. PRESIDENT, the last time Senator Hayes stood right here, he quoted from the book of John, Chapter 14, wherein, Jesus explains to his disciples, that he will soon depart from them but counseled, "Let your heart not be troubled, neither let it be afraid." It says a great deal about the former Senator from York that he would draw from that part of scripture under those circumstances.

In this 122nd Session of the General Assembly, we all stand on the shoulders of giants, but on this day, perhaps none more so than me.

I am grateful to Senator Hayes, for his honest and able service to the people of York County. Although we part ways on certain questions of policy, his gentlemanly example looms large in the mind of this new Senator from York.

Mr. PRESIDENT, at the recent freshman orientation, Senator LEATHERMAN joined us for a conversation about the customs and traditions that define this institution. He shared a few lessons, some of them hard lessons, he learned in his early days here at the hands of more senior statesman.

At the risk of inviting some of these hard lessons upon myself, I'll conclude by saying this: our great State is at a crossroads. On the one hand, we have an inviting climate, fine institutions of higher learning, a

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seaport, resilient work force, proximity to large metropolitan areas, and so many other competitive advantages. But we also have crumbling roads, a pension system in crisis, an outdated tax code, a broken K-12 system, and several government agencies that hang on by a little more than twine and duct tape.

Custom and tradition are valuable, Mr. PRESIDENT. Make no mistake it is important, but only in so far as it serves a larger and higher purpose. Our traditions cannot exist solely to serve the interest of those in this room. They must only exist to serve the 4.6 million South Carolinians outside of this room who are counting on us.

Honest reverence for history and tradition means not only cherishing it, but learning from it. As the great paragon of conservative tradition, Edmund Burke, once wrote, "A state without the means of some change, is without the means of its own conservation." Across this country and certainly in this fine State, our people rightly clamor for more and better from everyone in elected office. I look forward to working with all of you here to deliver on that cry for reform. Thank you.

Remarks by Senator FANNING

When spider webs unite, they can tie up a lion. When spider webs unite, they tie up a lion. The lion is the king of the jungle, the fiercest animal but this old thousand year old Ethiopian proverb reminds us that in those dense forest and jungles, there are spider webs so dense, so thick, so interconnected, that they literally tie up lions.

South Carolina needs a reminder of this power of unity. This power of spiders working together, to tackle the lions we all face. In South Carolina -- and across this country -- this past election we have sat through the nastiest election in modern history and we have one of two choices now as a State. We can either dwell on it, continue the divisiveness, the vicious attacks, the ends justify the means "politics of division," or we can turn the page to that great New Testament scripture from 2 Corinthians 5:17: "Old things are passed away; behold all things are become new." We have some lions in this State. We have some lions of roads and bridges in great despair, we have lions of public school children whose zip code determines the quality of education that we provide for them. We have the lion of a state pension system, a retirement system, we have a lion of an outdated tax code -- badly in need of comprehensive tax reform. We face indeed many lions in our State. But meanwhile there are itsy bitsy spiders, citizens all across South Carolina, working hard every day. Getting up in the morning, going to work, to climb their own waterspout. Those itsy bitsy spiders -- as soon as they

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climb their own water spouts -- down comes the rain and washes that spider out. But today is a new day and out comes the sun and dries up all the rain. And the itsy bitsy spider, as we know, climbs up the spout again.

I come to you today, nothing but an itsy bitsy spider, seeking to join in work with each of you, as we unite our webs, conquering the lions that we face today. I do have a couple spiders that visited with me today from York, Fairfield and Chester Counties and I'd like to introduce to you, the love of my life, fortunately also my wife, Stephanie Fanning -- Steph if you'd wave. My parents are also here with us today. I also have a wonderful group of spiders from Fairfield, Chester, and York Counties and if you would please stand and let me thank you. The spiders that drove up here today from Fairfield, York, and Chester Counties, without you, we would not be doing what we are doing. In District 17, without you, we would not be here today. Without you spiders connecting the web, you putting up with my stories of spiders for a year -- but also the continued work that we're going to do in District 17. I thank you from the bottom of my heart for the partnerships you've given to me; but I, also, thank each and every one of you, because I come here today as an itsy bitsy spider, wanting to work with each of you, as we tackle our lions. Thank you.

Remarks by Senator GOLDFINCH

Thank you, Mr. PRESIDENT. I would like to begin by telling you a little story. I had the pleasure of eating dinner with PRESIDENT *Pro Tempore* LEATHERMAN during the orientation and I told a little bit of this story at that dinner. I want to tell you a little bit about it now. I had the honor of giving a number of speeches in the last few weeks to high school students in my district as many of you do on a regular basis. There's one speech that I continually go back to because I think it's really impactful. I call that speech Perspective. It's important to have perspective and there's a number of ways to get it. But in my opinion, there are three particular ways that all of us can gain perspective and here's one. One is work. Work. It seems simple but here's what it's all about. It's all about understanding there's no work beneath you. It's all about working with others who understand and have different beliefs than you do. It's all about gaining experience in that work. Work is what brings us up and work is how we live as day to day dignified human beings. The second way to gain that perspective is travel. Travel. I always ask these kids, "Have you ever been to a place where there are no people like you? Have you ever been to a place where they don't speak English? Have you been to a place where they don't have internet or

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cable?" The answer is inevitably no but travel gives you perspective on life. The third way is service. Service over self. Service to others. There are multiple ways you can come about giving service. One of those ways is civil service as all of you are engaged in. One way is military service, a very honorable way. You could also have faith-based service or missions service. But at the end of the day, those things culminate in perspective. Perspective is something that is missing in today's society on a lot of different levels -- perspective which all of you have. Perspective gives you the ability to work together for the betterment of somebody else. I'm honored today to stand before you and tell you I gained my perspective from my parents who are here today. Thank you for giving me the courage to travel and to work and to tell me there is no job beneath me even when I had to dig graves in high school and when I had to lay brick at a hog farm. Thank you to my wife who gave me the courage to continue on with that and to travel with me across the world. Her name is Renee and she's standing in the back. She's the most beautiful woman here.

With that perspective comes the understanding that we are not just different people with different colors, races, religion and ethnicities. We are people working for one common good, people that understand that there are in fact challenges among personalities. But I don't believe for one second that there's a person in here that is here for the wrong reason, even you on this side. I say that in jest but I say that in seriousness because there's too much of this division among partisan politics today. There's too much of it -- too much hatred, too much name-calling, too much instability. We can change that right here -- one little step at a time, one day at a time. We can advance South Carolinian's agenda -- something for the betterment of all South Carolinians and I'm looking forward to doing that with each and every one of you. God bless you and thank you. I'm honored to be here with each of you.

Remarks by Senator McLEOD

Good afternoon. Thank you, Mr. PRESIDENT and members of this esteemed Body. It is certainly a pleasure to be a new member of this Body. Just one week ago, I stood here at my swearing-in ceremony and talked about the fact that I know my steps are ordered. I know that I have the grace of God to do His will for His people and the people of Senate District 22 and the people of this State are His people. When we tackle the toughest of issues, like roads and infrastructure improvements, equity, public education, Medicaid expansion, jobs, economic development, race relations and diversity, I know that I have the political

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courage to stand up and speak out for truth, justice, accountability and change. I know that according to Romans 8:31, "If God is for us, then who can be against us." I also know that at the end of the day, when we work together -- not if we work together but when -- when we work together, all things are possible. You know, one of the negative ads that my opponent ran against me during the campaign resonates with me for a number of reasons. They used my name, Mia, as an acronym and to them, it stood for "missing in action." But as you can see, I do show up for work. But on the morning of November 8th, as I walked out of my polling place, after having voted, a gentleman walked up to me and said, "I've been reading about you and what you stand for and I've seen the negative attack ads that use your name as an acronym but I have a better acronym for your name -- Mia, "mission impossible accomplished." I knew then that it was not because of who I am but because of who He is. I stand here today, at this time, and in this moment knowing, trusting and believing that with God all things are possible. I just want to remind each of you today, that when we work together, no mission is impossible. I look forward to serving with each of you.

Remarks by Senator RICE

Thank you, Mr. PRESIDENT. It is an honor to be here this morning. The one thing that I have noticed is that the Senate does do things different than the House, where I served for 16 years. It took me four months to get to the podium in the House and I'm here within the first hour over here. I would like to stop and just say thanks to Senator LARRY MARTIN who served for a number of years in this Body and in the House. We very much appreciate him back in Pickens County for what he did and I want him to know that I appreciate him too.

It is an honor for me to be able to serve here also. God has given me the ability and the wisdom to serve here. I do not know what the mission is that He has set forth for me, but He's got one. My mom and dad and Ruth's mother and father helped me with that wisdom. They taught me about hard work and that is very important. That is part of growing up and learning what it means to serve people and I appreciate the opportunity to do that. I have my wife, Ruth, sitting back here. She's put up with me for 35 years and for that, I thank her. We have two beautiful daughters, Tonya and Meredith, and both have been very supportive. I want to thank the folks back in Pickens County. Without them, obviously, I wouldn't be here. The time that we spent out knocking on doors, going around, seeing people and just trying to understand what the needs of the community are was important to me. I think about my

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service in the House and what I learned in the House. Some of you remember Al Robinson. Al was my seatmate when I came in and Al took me, as I'll ask you to do for me today, under his wing and took care of me, and made sure I tried to stay in the right direction. Then Phil Owens came in after Al left and kept that rudder straight and kept me going where I needed to go and kept me from doing some stupid things sometimes and I kept him from doing some too. That's just part of it. David Wilkins taught me what it was like to be able to fight, this minute. To have a fight with somebody in the Body and remember 10 minutes from now, I may need you on my side. So, don't burn bridges as you go, that's very important. Governor Jim Hodges was on the other side of the aisle. I always remember that I could go sit down and talk to Jim. Jim would tell me, "This is my position on something and this is your position on something." He just made sure he told me the truth on both sides. That's very important. I don't know if you all remember John Felder but I remember him going to the podium a number of times and talking about getting Congary fever. For those of you who don't know what Congary fever is, it's when you are waiting on the State House block to come in on election eve and it doesn't show up. The people back home are the ones that voted for you, not the ones right here at the State House. Congary fever is when you lose your sense of direction and think these folks in here are more important than the ones back home. From this Body I remember J. Vern Smith. If you had to pick a southern statesmen and put a picture of him out there, it would be J. Vern Smith. I can remember him on Thursday mornings going into the chapel over here, every Thursday morning, and seeing him sitting there. He was a southern gentleman if ever there was one. I am here today to ask for your help. I need each and every one of your help, even the freshmen. When you see me get a little out of line or doing something that you don't think that I should be doing, I ask you to stop me and say -- and this goes to the people back home and goes for my family -- when we took the oath of office a minute ago, and we've taken it several times, we talk about preserve, protect and defend. I'm going to go way back in history and throw a little something at you. My great - grandfather was one of the original signers on the Constitution in 1895. So, I have a little something to fight for when I fight for the State Constitution. I've got the U.S. Constitution that I'm going to fight for and I have the Bible that I'll keep on my desk, if anybody needs to stop a minute and read that. If you think about the oath we took, it says, "So help me God." And when I say, "So help me God," I'm saying a prayer. I'm saying, help me God, do my mission right here. I'm asking you to do the same. I'm proud to be the

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Senator from Pickens and thank you. Everybody have a great Christmas. Thank you very much.

Remarks by Senator SENN

Thank you, Mr. PRESIDENT. I'm SANDY SENN from District 41. First, I want to start out by thanking God and my family. Without them, I would never been able to run for office. My wonderful husband is sitting here, along with lots of other people, including my son Jacob, who came and decided to sit by me. If my husband had not just retired from the City of Charleston about the time Paul Thurmond decided he was going to step down, I wouldn't have been able to take this job. Now my husband is able to help with Jacob even more than he does already.

I thought we were supposed to stand up here and impart a little bit of knowledge about who we are and where we came from. I didn't know we were getting into deep philosophical discussions. I thought about "googling" something because I'm not smart enough to throw that out to you quickly. Then I thought that I would just stick to what I thought my job was. I wanted to start out by telling you that I'm an awful and terrible driver. Jeff Gossett, this is going to be a real problem in the garage. It's really bad -- but the person who knows that I'm the worst driver in the world is my father.

At the age of fifteen, I got my license. My dad gave me a brand new Formula Firebird, with t-tops and all. It was the coolest car in the world back then. I wrecked it within a week -- I hit a police car. I was supposed to be at Brookland-Cayce High School, but I had taken off for lunch. The car was messed up but not too bad to drive. By the next week, I hit it on the other side. After that, my dad decided that I was not going to be able to keep the car and he started giving me a series of "junkers." I hated them and I was so embarrassed. So I ended up killing, and this was not intentional, but I killed three cars -- two with no oil and one car with no water -- because they were all junkers.

Finally, when I was going to school at the University of South Carolina, my dad gave me a nicer car and along with that he gave me responsibility. If I wanted my allowance, I had to drive to his shop, have the guys check it for water and oil and I could pick up my \$20. Daddy also told me I was going to work! I said, "I am?" He said, "Yes, you are now a page for the Honorable NIKKI SETZLER." So for two years I was so honored to work with Senator SETZLER and it was an amazing experience.

The reason I told you the car story is because Senator SETZLER had two pages -- a female, which was me, and a male named Pappy McGarr.

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Every time I came in, I would ask Senator SETZLER what I could do for him. He would always say, "Write this person a letter." But Pappy always got to drive the Senator's car to go get stuff. I was convinced at first that he was just sexist and thought women couldn't drive. But then, I was convinced that my daddy told him that indeed I cannot drive. And that's still right today.

I'm looking forward to working with all of my colleagues. I know you will stay out of my way in the parking garage. I'm looking forward to working with my sister Senators and am just honored to be here. Thank you to the people in Charleston Senate District 41.

Remarks by Senator TALLEY

Thank you, Mr. PRESIDENT, ladies and gentlemen. I stand before you today in awe. I mean that with all sincerity. Sixteen years ago, I had the awesome responsibility to come and represent House District 34 in the State House of Representatives. I came that day in awe as well. We all have said and we all know that we serve a Higher Being and a higher calling. I was reminded of that eight years ago when I thought it was my time to move across this building, but it wasn't. I've been truly blessed over the last eight years to be home with my wonderful family who has joined me here today. I will first introduce, in the balcony, my mother-in-law, Kathy Bigham. She's my sister-in-law, but more like my sister, Amy Faulkenberry. I also stand before you scared to death today, because I have my three children over here, who I don't think have sat so quiet or still for any length of time, like they have today. Let me introduce them. My oldest son is Hudson, who is in the sixth grade. Layton is in the fourth grade. Wells is five and due a nap now at any point. Holding Wells is my wife Kelly. Many of you have met Kelly. The day after my run-off election in June of this year, she reminded me that she had been in the Senate long before I ever was, so we laughed about that. Kelly worked for Senator Bob Waldrop, from Anderson, when I served in the House. He felt it necessary one day, at the State Farm barbeque, out on the grounds, to introduce Kelly and I. At the time, I had a mouthful of barbeque and my tie flipped over my shoulder. I'll fast forward a little bit for you. Two months later, I asked her to marry me. Six months later, we got married. Now, here we are, fourteen years later today. So here is my wife, Kelly, who did a fine job serving Senator Waldrop. I hope I can only do as well. I've been very blessed in my life -- there is absolutely no doubt about that.

When I was a senior at Wofford, I was fortunate to win the President's Scholarship; some of you may have heard of that. That is the opportunity

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to travel through the developing countries of our world for up to a year. I got to travel to places like Thailand, China, Laos, Vietnam, Africa and South America. I met so many people during that experience. The rule of that trip was you could only take a backpack with you. So you can imagine -- traveling for a year, that you pick up shoes along the way. You wash your clothes in rivers as you go. I feel again today as if I am here with a backpack. I am a simple person. I don't come here with any agenda. I am honored to be here on behalf of the people of Spartanburg and Greenville counties. My colleagues before have said that there is a lot that we can accomplish together. I think that is so true. I think from my experience, what people wanted to see out of this Body, is moving the ball forward. My goal when I served in the House each day was to leave this State a little better than we found it. That will be my goal and my mission as I come into this Senate to work with each of you on a daily basis. I look forward to that opportunity and getting to know all of you better. It is going to be an honor to work with you. If you ever have any questions, I'll be back on that back row, I feel certain, and you're welcome to stop by at any time. Thank you very much.

Remarks by Senator TIMMONS

Thank you, Mr. PRESIDENT. It is truly an honor to be here. It really does seem surreal. Thirteen months ago I announced my candidacy for this seat and I never really thought about being here. My mom jokes that I'm like the dog that caught the school bus, not sure what to do with it now, but I'll tell you what I'm going to do now -- I am going to work hard. I am going to fulfill the promises that I made to my constituents and I want to thank them for sending me here and having faith in me. I also want to thank Senator Fair. He served for thirty-seven years and he truly was a statesman and I am very fond of him. We got to know each other over the campaign and I want to say thank you to him for his service. I also want to thank my family. The campaign was the most work -- and the hardest work -- I have ever done. I've started a number of businesses and I've been a prosecutor but I didn't really know what hard work was until I ran for office and my family suffered through that with me. My father, Rick Timmons, my mother, Pat Timmons, my brother, Cliff, and my longtime girlfriend, Sarah Anderson -- they all suffered with me through the election to get me here and I really appreciate it. Also, I believe my grandfather set the tone for me to be successful in running for office. I met thousands of people during the seven months I was campaigning and more than half of them said, "Are you related to so and so?" I have a big family and I learned a lot about my family by meeting

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other people in the community and I really enjoyed that. I'm ready to get to work and I acknowledge we are not always going to agree on everything but I do know that South Carolina is in a great position to successfully tackle the next few decades, but we have a lot of hard work ahead. Everybody knows we have a roads problem and an infrastructure problem. The pension is also going to be addressed this year, one way or the other, and education is obviously something many people in this Body are passionate about. We are not always going to agree on the details but together we have to find a way to move the ball forward. I look forward to working with everyone and again, I'm truly honored to be here. I am happy to meet with anyone on any subject and I will work hard. Thank you.

On motion of Senator SETZLER, with unanimous consent, the remarks of Senators CLIMER, FANNING, GOLDFINCH, McLEOD, RICE, SENN, TALLEY and TIMMONS were ordered printed in the Journal.

PRIVILEGE OF THE FLOOR

On motion of Senator SETZLER, with unanimous consent, the Privilege of the floor was extended to the family of Chaplain Jim St. John.

Expression of Personal Interest

Senators SETZLER and COURSON rose for an Expression of Personal Interest regarding the retirement of Dr. James "Jim" St. John.

Remarks by Senator SETZLER

Ten years ago the Senate came together, and we elected a Chaplain. Those of you who are serving for the first time, probably do not understand the significance and role that the Chaplain of the South Carolina Senate plays and how important they become in your personal life.

Chaplain George Meetze was the former Chaplain of the Senate and he was a dear friend to many of us. As a testament to the relationships we have with the Chaplain, Chaplain Meetze left his dying wife in the hospital to come and see me when my mother was dying at Lexington Medical Center. At the time of his passing, I did not believe that Chaplain Meetze could be replaced. Then along came Chaplain Jim St. John, and he is a true Saint.

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All of us have those special preachers in our lives that mean so much to us. They have that aura about them, and you know you can share anything with them and that they are going to be there in your troubled times. Chaplain St. John was with me when I had my medical issue in 2011, and he prayed for me, for my recovery and was with me in my walk with God.

Chaplain St. John during the last 10 years has opened the Senate with scripture and prayer, and his thoughts were always timely as to what the members of the South Carolina Senate and South Carolinians in general were facing. Uniquely, he has the ability to lead us through his prayer during that day's session.

He served the Senate during the loss of two of our colleagues. The untimely death of Senator O'Dell and the tragic loss of Senator Pinckney. He was a giant as a Chaplain, as a preacher and a person.

When Chaplain St. John came to me and told me that he was going to retire, I begged him not to and told him that we could not do it without him. The Chaplain is retiring and he and his wife came here today to be with us. We will miss him, and we have a Resolution by the entire Senate that I am going to ask the Clerk to read.

Remarks by Senator COURSON

Mr. PRESIDENT, I will be brief. As Senator SETZLER mentioned, I was honored to be appointed ten years ago today by then President *Pro Tempore* Glenn McConnell to serve as the Chairman of the Chaplain Search Committee as Reverend Meetze was no longer Chaplain of this Body. We had seven members on the committee and met with numerous applicants to be our Chaplain. One of the finest selections I have ever had the honor to make was to recommend James St. John to be Chaplain of the South Carolina Senate. On a personal note, my son-in-law is a Presbyterian Minister and I am an Episcopalian and somehow he wanted to become predestined so he became a Presbyterian Minister in North Carolina and Rev. St. John counseled him on the process. My son-in-law, Matthew Baker, is a pastor in a small city in North Carolina which he has enjoyed immensely. Jim, I want to thank you for the ways Senator SETZLER mentioned that you have conducted yourself in ten years as our Chaplain. Frankly, I think one of the most compelling compliments is that I do not know whether you are a Republican or a Democrat and I don't care. Thank you, sir.

On motion of Senator SHEHEEN, with unanimous consent, the

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remarks of Senators SETZLER and COURSON were ordered printed in the Journal.

Election of the PRESIDENT *PRO TEMPORE*

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

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

Senator SETZLER seconded the nomination and moved that the nominations be closed and that Senator LEATHERMAN be elected PRESIDENT *Pro Tempore*.

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

Ayes 36; Nays 9; Present 1

AYES

Alexander	Allen	Bryant
Campbell	Corbin	Courson
Cromer	Fanning	Gambrell
Goldfinch	Gregory	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Matthews, John	Matthews, Margie	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Sabb
Scott	Senn	Setzler
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Bennett	Campsen	Climer
Davis	Grooms	Hembree
Massey	Rice	Timmons

Total--9

PRESENT

Shealy

[SJ]

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Total--1

Senator HUGH K. LEATHERMAN, SR. was elected President *Pro Tempore*.

Senator LEATHERMAN was recognized for brief remarks.

Remarks by Senator LEATHERMAN

Thank you once again for entrusting me with this leadership position. The South Carolina Senate is an institution that we all hold very dear. The faces in these seats may change. I imagine that the twenty-six new Senators we have added over the past eight years could be one of the biggest changes in recent memory. But the history and traditions of this Body will remain.

Our role in shaping the future of South Carolina is crucial. I urge all of you to take that role very seriously. I know you will find that your voice will be heard and your opinions will be respected. That is true for every member. We Senators who have been here a while look forward to teaching our newest members the traditions and I hope you will follow our lead. But, the Senate will also adapt to the realities of the present and embrace the future.

Today, we will adopt a set of Rules that should make our time in this Chamber more efficient and allow us to focus on the priorities of this State. After all, that's why we were all elected.

Once again, education, infrastructure and building a strong economy will be our focus. These are the issues that make a difference in the lives of our citizens every day. We will focus our energies on these issues. As PRESIDENT *Pro Tempore*, I pledge to continue to lead the Senate in a manner that will allow the talents of each Senator to foster solutions to these critical issues. Here in this Chamber, I am committed to creating an environment where all voices can be heard. For that to happen, we all have to pay particular attention to decorum. All Senators should be in their seats as often as possible, be respectful of those around you and debate the issues in a way that respects the opinions of your fellow Senators.

I look forward to a productive legislative session that will begin in January and I commit my support to each Senator.

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

Remarks by Senator PEELER

Thank you Mr. PRESIDENT, members of the Senate. Do you feel the feeling I'm feeling -- the feeling around the Statehouse? It's the same feeling of the last days of Coach Spurrier. That feeling of when will the new coach start? Who will be the **assistant** coach? Who will be the coach's staff? And really, will there be a team there for the coach to coach?

What we need here in the Senate for our team to be successful, is to have a great quarterback. Anyone who follows sports, Senator COURSON, you will know, if you have a good quarterback, you need to keep that quarterback.

Members of the Senate, Senator LEATHERMAN and I started the same day way back yonder. So members for the Senate, Mr. PRESIDENT, I rise to place a nomination for Senator LEATHERMAN to be our PRESIDENT *Pro Tempore*.

As I said, we started together way back there, and the members of the Senate who are new -- I've enjoyed every word you all said in your speeches earlier. Now let me give you some advice.

Every four years a new crop of Senators come in and they are all excited and eager to change the world. Senator LEATHERMAN, we were there once, way back yonder and just so eager. I call it another episode of the Young and the Restless. It won't take you long to figure out who Victor Newman is.

I enjoy talking with the new Senators but one of the greatest joys, Senator SENN, was when Senator Paul Thurmond came in the freshmen class. It had a different feel, Senator COURSON, to be able to say Senator Thurmond. Paul and I became real good friends. On the first day, he was sitting over there and I went over there to him and I asked him, "Senator Thurmond, do you know how long it is from your desk to mine?" "Oh, about 30 feet," he replied. I said, "Nope, about 30 years."

So we created a great friendship and I like talking to the new Senators. So let me tell you what was told to me and Senator LEATHERMAN to be a successful Senator. You must remember the three P's of politics. Be present, be prepared and be patient. Patience is something I haven't learned in 36 years here. Senator LEATHERMAN and I have a unique relationship. I think he keeps me on as a source of entertainment because he loves to make me so mad sometimes -- he likes to make my head spin

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on my shoulders. One day he was especially nice to me. I went over and Senator Thurmond patted me on shoulders. He said, "Just be patient Senator, just be patient -- your day will come." I said, "Darn it Paul, that's what your Daddy kept telling Fritz."

Mr. PRESIDENT, members of the Senate, Senator LEATHERMAN and I are like the farmers in the Farmers Insurance commercial, "We know a thing or two because we've seen a thing or two." We have seen a thing or two and because of that, we need to keep him as PRESIDENT *Pro Tempore*. Now, there's some concern about if there's a vacancy in the Lt. Governor's office, what happens. What happens if there's a vacancy in the Lt. Governor's office? My answer to that is that we'll cross that bridge when we come to it.

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

Statement by Senator DAVIS

Today, by a vote of 34 to 9, the Senate elected Senator HUGH LEATHERMAN to be PRESIDENT *Pro Tempore* for the next two years. I was one of the nine "No" votes and I am entering this statement in the Journal to explain the reason for my vote.

The Office of PRESIDENT *Pro Tempore* in the Senate confers extraordinary powers to its occupant, ranging from appointments to state agencies and legislative conference committees, and beyond. That office also, however, confers substantial obligations upon its holder, including the obligation to ascend to and discharge the duties of Lieutenant Governor in the event that office becomes vacant.

By way of illustration thereof, below are the recorded words of then-PRESIDENT *Pro Tempore* Glenn McConnell to the members of the Senate immediately prior to his discharge of that "ascension" duty upon Lieutenant Governor Ken Ard's resignation:

[I have] Been very insistent about the strict construction of the constitution and the need for this Senate to test each law for its constitutionality before it moves forward. I have warned about the pitfalls of the unconstitutional act of piggy backing non-germane and totally different subjects on a Bill because of time running out. Our Constitution is very clear on that matter, and bobtailing is a practice which any future PRESIDENT *Pro Tempore* will need to be on the lookout for.

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The standard that I have applied to other things is now what I must apply to myself. You see, I have been doing for the people of Senate District 41 in this State, what I always wanted to do. Giving it up is indeed a sad moment for me.

That is why I stand here today somber and a little saddened because of what I will lose today when I take the oath of office as Lieutenant Governor. But for the people of South Carolina, who hear these words today or read them in the future, I want them to know that what I do today should not be considered remarkable. If what I am doing is considered special, then it is a sad indictment of the public's view of elected officials and our commitment to what is right.

Today we remind the public that oaths of office matter and people should and can expect that whoever takes the oath of office as PRESIDENT *Pro Tempore* will do as they swore to do and fulfill the constitutional duty of becoming Lieutenant Governor, if there is a permanent vacancy in that office.

Today I simply perform the duty I swore to do when I took the oath of office as PRESIDENT *Pro Tempore*.

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

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

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

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

Knowing what it was costing me, this decision was a hard one to make but one I knew I had to do. Even knowing you are doing

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the right thing, doesn't make the decision to do the right thing an easy one.

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

Each Sunday before mass, I pray to God to not allow power to corrupt me and to have my conscience speak to me about what is right. Although I am saddened by what I must do.

Senator LEATHERMAN sent a letter to all members of the Senate last week stating that under no circumstances would he ascend to the Office of Lieutenant Governor in the event that office became vacant while he served as the PRESIDENT *Pro Tempore* -- a material declaration of intent given Governor Nikki Haley's nomination by President-elect Donald Trump to serve as UN ambassador and the vacancy in the Office of Lieutenant Governor that would ensue when Governor Haley is confirmed for that federal position.

Senator LEATHERMAN's desire to exercise the benefits of the Office of PRESIDENT *Pro Tempore* and to avoid discharging this burden stands in stark contrast to the position expressed by Senator McConnell above, in particular the following portion, which bears repeating:

Today we remind the public that oaths of office matter and people should and can expect that whoever takes the oath of office as PRESIDENT *Pro Tempore* will do as they swore to do and fulfill the constitutional duty of becoming Lieutenant Governor if there is a permanent vacancy in that office.

Today I simply perform the duty I swore to do when I took the oath of office as PRESIDENT *Pro Tempore*.

And this is why I was one of today's nine "No" votes.

Statement by Senator BENNETT

Today, I was one of nine members to oppose the selection of Senator HUGH LEATHERMAN as PRESIDENT *Pro Tempore* of the South Carolina Senate. As this is an important leadership position that needs and deserves respect, I feel it necessary to enter this statement into the Journal as way of explanation.

The constitutional duty of the PRESIDENT *Pro Tempore* is clear, when there is a permanent vacancy in the position of Lieutenant Governor, the PRESIDENT *Pro Tempore* of the South Carolina Senate will become the Lieutenant Governor of the State of South Carolina. This situation is on the horizon for South Carolina as President-elect Donald J. Trump has selected Governor Nikki Haley to serve this nation as

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Ambassador to the United Nations. The Governor is expected to soon step down. With that, and in accordance with the Constitution, Lieutenant Governor Henry McMaster, will become Governor creating a permanent vacancy at Lieutenant Governor.

Anticipating this sequence of events, Senator LEATHERMAN, recently provided a letter to members outlining his intention to offer for reelection to the position of PRESIDENT *Pro Tempore*. In that letter, and to his honorable credit, Senator LEATHERMAN outlined his commitment and promise to his constituents that he would represent them in the South Carolina Senate as he has ably done for the past 36 years. Given that commitment, he stated that should the scenario play out as described above, he would not accept the position of Lieutenant Governor.

This statement placed me in a very difficult position. The oath that each Senator takes, not only when they become members of the Senate, but also additionally when elected to further leadership positions within the Body, states:

“I do solemnly swear that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States. So help me God.”

In this instance, the candidate stated ahead of the election that if called upon, the candidate would reject a portion of the constitutional requirements we all pledge.

There is no doubt that Senator LEATHERMAN maintains the skills, ability, and knowledge to serve as PRESIDENT *Pro Tempore*. It is also clear that Senator LEATHERMAN has a different interpretation of the constitutional requirements of the office. Different interpretations of the law are common and therefore I acknowledge the difference of opinion and respect his position.

Therefore, my vote against this selection as PRESIDENT *Pro Tempore* of the Senate was not a question of skill, ability or commitment to the State of South Carolina. But rather a belief that constitutional order, as difficult as it may at times be, is an essential component of the people's government.

Election of Senate Officers

The Senate proceeded to the election of Clerk of the Senate, the Reading Clerk, the Sergeant-at-Arms and the Assistant Sergeant-at-Arms, *en banc*.

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Senator LEATHERMAN placed the names of Mr. Jeffrey Stephen Gossett in nomination as Clerk of the Senate, Mr. John Othniel Wienges as Reading Clerk, Mr. James R. Melton as Sergeant-at-Arms and Mr. Charles D. Williams, Jr. as Assistant Sergeant-at-Arms.

Senator LEATHERMAN moved that the nominations be closed and that Mr. Jeffrey Stephen Gossett be elected as Clerk of the Senate, Mr. John Othniel Wienges be elected as Reading Clerk, Mr. James R. Melton be elected as Sergeant-at-Arms and Mr. Charles D. Williams, Jr. be elected as Assistant Sergeant-at-Arms by acclamation.

The PRESIDENT announced that Mr. Jeffrey Stephen Gossett was elected Clerk of the Senate, Mr. John Othniel Wienges was elected Reading Clerk, Mr. James R. Melton was elected Sergeant-at-Arms and Mr. Charles D. Williams, Jr. was elected as Assistant Sergeant-at-Arms by acclamation.

Administration of the Oath of Office

The President *Pro Tempore*, Clerk, Reading Clerk, Sergeant-at-Arms and Assistant Sergeant-at-Arms presented themselves at the Bar, and the Oath of Office was administered to them by the PRESIDENT.

Clerk's Appointments

The Clerk announced the following appointments:

Mr. Kenneth M. Moffitt	Assistant Clerk
Mr. Edward H. Bender	Counsel to the Clerk
Mrs. Michele Neal	Journal Clerk
Ms. Cynthia Aiken	Journal Clerk
Ms. Agnes H. Walker	General Desk Clerk
Mrs. Lesley Stone	Calendar Clerk
Mrs. Betty Graham	Chief Administrative Assistant to the Clerk of the Senate
Mrs. Ann John	Records Management Clerk
Mrs. Beth Dworjanyan	Director of Senate Finance
Mrs. Jean Tisdale	Accounts Manager
Mrs. Stephanie Jones-Fitts	Payroll/Personnel Manager
Ms. Alicia Eatmon	Bill Clerk
Ms. Kathleen Burns	Assistant Bill Clerk

The PRESIDENT announced that pursuant to Article III, Section 12 the Senate would take up consideration of the Rules Resolution.

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**CONSIDERATION AND ADOPTION OF RULES
INTRODUCTION OF A RESOLUTION**

The following was introduced:

S. 1 -- Senators Massey, Alexander, Bennett, Bryant, Campbell, Campsen, Climer, Corbin, Courson, Cromer, Davis, Grooms, Hembree, Martin, Peeler, Rankin, Shealy, Timmons, Turner, Verdin, Gambrell, Goldfinch, Gregory, Leatherman, Rice, Senn, Talley and Young: A SENATE RESOLUTION TO ADOPT RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.

Be it resolved by the Senate that the Rules of the Senate are as follows:

SENATE RULES

RULE 1.

Time of Daily Meeting

A.

The Senate, on the first day of each annual session, shall convene at 12 o'clock noon. Thereafter, the Senate shall meet each legislative day at ~~12 o'clock noon~~ 2 o'clock p.m. every Tuesday, ~~2 o'clock p.m.~~ 12 o'clock noon every Wednesday, 11 o'clock a.m. every Thursday for statewide matters and on Friday for local matters and uncontested matters which have previously received unanimous consent to be taken up unless otherwise ordered by the Senate. A motion to change the time of daily meeting may be made at any time when a quorum of the Senate is present or not present and must be voted on after no more than five (5) minutes of debate, two and a half (2½) for and two and a half (2½) against. The Senate shall stand adjourned Saturday through Monday unless otherwise ordered by a majority vote of the members present in statewide session.

B.

At various times as he or she deems necessary during the session, the President Pro Tempore is authorized to make a motion to provide for the convening of the Senate in statewide session for the exclusive purpose of the introduction and referral of bills, receipt of communications and committee reports and the reading and passage of local legislation to which all members of an affected delegation have given their consent for the bill to be taken up, and to adjourn immediately thereafter. Any such motion shall provide the specific dates during which the motion shall apply and shall provide that the Senate must convene at 11:00 a.m. and adjourn not later than 12:30 p.m. on each such day and such motion must

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be made at least two (2) days prior to the beginning of the period for which it applies.

C.

The President Pro Tempore or his designee, when, in his opinion, it is impractical or dangerous to hold a regularly scheduled session(s) of the Senate, may declare the body adjourned to some other time. Such actions are to be taken only in times of great emergency including, but not limited to, natural disasters, severe weather, and acts of God.

RULE 2.

Quorum

A majority of the total number of Senators qualified shall constitute a quorum.

Quorum Call of the Senate

If at any time during the daily session of the Senate it is ascertained that there is not a quorum present, no business shall be in order except a call of the Senate, an order to send for absentees (as provided for in Rule 3B), a motion to recede for a fixed period of time or to a time certain, or a motion to adjourn. Each of the foregoing motions shall be of equal standing and none shall have priority over the others.

RULE 3.

Attendance, Duties and Obligations of Senators

A.

Any member or officer of the Senate who shall absent himself or herself from the service of the Senate, without leave of the Senate first obtained, shall forfeit his or her subsistence while so absent. The Clerk shall maintain a record of those members present on each statewide legislative day.

B.

Notwithstanding the provisions of Rule 14 or any other Rule of the Senate, at any time during a session when the presence of absent members is required, the Senate, by majority vote of those present and voting shall authorize the Sergeant-at-Arms to send for the absent members. In case a less number than a quorum of the Senate shall convene, the members present are hereby authorized to send the Sergeant-at-Arms or any person or persons by them authorized for any or all absent members, as the majority of such members present shall agree. This Rule shall apply to the first convention of the Senate each year at the legal time of meeting and to each day of the session after the hour to which the Senate stood adjourned has arrived. When provisions

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of this Rule are invoked then the outer doors of the antechamber shall be secured and any member within the confines of the chamber shall be counted for the purpose of determining a quorum. A motion to invoke or repeal Rule 3B may be made at any time when a quorum of the Senate is present or not present and must be voted on after no more than five (5) minutes of debate, two and a half (2 ½) for and two and a half (2 ½) against.

RULE 4.

Majority and Minority Party: Seating

A.

Prior to the commencement of the session, the members of the Senate in each party shall select a leader of their respective party. The leader of each respective party shall serve as either the Majority or Minority Leader of the Senate. For purposes of these Rules, the majority party shall be the party at the opening of the session who has at least fifty (50) percent of the vote in the Senate plus one. In the event that the membership of the Senate is equally divided, the party affiliation of the President will decide the majority party. The majority party shall be determined at the opening of the session and shall remain the majority party for the duration of these Rules.

Except for meetings to elect the Majority Leader or Minority Leader or to take any other formal action, meetings of party caucuses are exempt from the Freedom of Information Act.

B.

During the opening session after the election of Senators or, in the case of a special election, at a session designated by the President Pro Tempore, the Majority Leader shall pick his seat in the Chamber first. The Minority Leader shall then pick his seat in the Chamber on the opposite side. The reading clerk shall then call the roll of the Senate by seniority and each member shall then select a seat in the Chamber. The front two rows on the side of the Chamber selected by the majority leader are reserved for the majority party members; the front two rows on the side of the Chamber selected by the minority leader are reserved for the minority party members.

RULE 5

Journal of the Senate

The Journal of the Senate shall be prepared and printed daily by the Clerk. Any Senator shall have the right to demand the reading of that portion of the Journal of the previous day containing an error or omission

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and to move to correct any such errors or omissions after debate of no more than five (5) minutes for and five (5) minutes against. The Clerk must annually compile and publish a permanent Journal of the proceedings of the Senate.

RULE 6.

Which Senator Entitled to Floor

A.

When a Senator desires to speak, he or she shall rise from his or her seat and address the President, and may not proceed until he or she is recognized. When two or more Senators rise from their seats to speak at the same time, the Senator who first addresses the President as determined by the President shall have the floor and the President shall so announce it.

B.

When a Senator raises a question of order, as provided for in Rule 7, the President shall stop all other debate and allow the Senator raising the question to explain the point of order subject only to a superior question of order.

C.

Every Senator, when speaking, shall address the President, standing in his or her place and when finished shall take his or her seat. Senators, when addressing the Senate, may stand at their desk or may go to the podium in the center aisle.

Except as otherwise provided in the Rules of the Senate, no Senator may interrupt the Senator who has been granted the floor without his or her consent. To obtain consent, he or she shall first address the President. If a member wishes to present a question to the Senator who has been granted the floor, he or she shall address the President and gain recognition. Once recognized, the member shall ask the President, "Does the Senator yield for a question?" The President shall inquire of the member granted the floor "Does the Senator yield?" If the Senator who holds the floor agrees to yield, the President shall so instruct the Senator who wishes to present the question.

RULE 7

A.

Question of Order

Appeal from President's Decision

If a Senator in speaking, or otherwise, violates the Rules of the Senate, the presiding officer shall, or any member may, by raising a point of

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order, call him to order; and when a member is called to order by the President or under a point of order, he or she shall sit down and may not proceed without leave of the Senate, unless the President takes the point of order under advisement. The President may call for the Sense of the Senate on any question of order. Every question of order must be decided by the President, without debate, and Senators shall have the right to appeal the decisions of the President to the full Senate. When the decision of the President is appealed, the President Pro Tempore or his or her designee shall preside and the President shall retire from the chamber during the pendency of the appeal and the Senate's debate and action on the motion to appeal. The question before the Senate shall be "Shall the ruling of the President be overridden?" and after not more than thirty (30) minutes, fifteen (15) minutes for and fifteen (15) minutes against, of debate it shall be decided by a majority vote of the membership.

B.

Introduction of Visitors and Guests

When a member wishes to introduce a visitor, guest or family member, he or she shall first gain recognition from the President and shall limit his or her introduction and associated remarks to not more than two minutes.

If a visitor or guest in the Chamber or in the gallery engages in a demonstration of approval or disapproval or creates a disturbance which affects the decorum of the Senate, the Clerk and Sergeant-at-Arms shall take those measures necessary to enforce order.

C.

Decorum in the Senate

The presiding officer shall maintain proper decorum in the Senate at all times. Members of the Senate are prohibited from eliciting responses of any kind from visitors in the Senate gallery.

The use of cellular phones is prohibited in the Senate Chamber. Other silent electronic devices may be used only in a manner as not to be disruptive to the Senate. This rule shall be enforced in a manner prescribed by the Operations and Management Committee.

Rule 8.

May Speak Twice in One Debate

No Senator shall speak more than twice in any one debate, on the same day, without leave of the Senate.

Any Senator, who absents himself or herself for three (3) hours or more from the Senate Chamber after due notice that Rule 3(B) has been

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invoked, or is not present for two quorum roll calls which are called more than two hours apart, forfeits his or her right to speak for more than one hour on any matter pertaining to the Bill being debated on that legislative day, unless granted leave by the Senate to speak for a longer period, or unless such member obtains a leave of absence from the Senate either before or after invocation of the Rule.

RULE 9.

Endorsement of Papers

No Senator shall present any Bill, amendment or other paper, without having first affixed his or her name to such Bill, amendment or other paper. A member who is granted leave to place material on the desks of other members, and who is not the author of or who has not signed the material, shall affix his or her name to a copy of the material and forward that copy to the Clerk prior to distribution of the material. No notice shall be required of a member of his or her intention to introduce a Bill or Resolution. Any member may introduce Bills or Resolutions which shall be received by the Senate staff whether or not the Senate is in session. A member may co-sponsor any Bill or Resolution with the permission of the primary sponsor. After introduction, a member may, with permission of the primary sponsor, co-sponsor any Bill or Resolution that is in the possession of the Senate by notifying the Clerk. Bills and Resolutions so received shall be periodically referred by the President of the Senate to the appropriate committee or committees which may then consider them at such times as the committee meets.

Any matter acted upon favorably by any committee may be reported out by the committee when the Senate reconvenes and need not thereafter be sent to any committee but shall then be ready, upon compliance with other Rules of the Senate, for second reading consideration.

The Clerk of the Senate shall establish procedures to notify the Senate membership on a monthly basis of Bills and Resolutions introduced during periods when the Journal is not printed.

All Bills received prior to the first day of the convening or reconvening of the General Assembly shall receive first reading on the first day of the session.

RULE 10.

Committee Reports, How Made

Reports must be separately made on each Bill or Resolution and shall be signed by the Chairman or such Senator as the Chairman may designate. Bills and Resolutions receiving a majority favorable report from a Standing Committee shall be placed on the Consent Calendar or

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the Statewide Uncontested Calendar, as appropriate, for consideration the next legislative day.

No Bill or Joint Resolution may be polled out of a Standing Committee until all of the committee members present are notified and polled and a majority of the entire membership of the committee votes in favor of polling the legislation out. The poll results must be certified by the Committee Chairman who must certify that each member of the committee was notified and given an opportunity to vote and a written copy of the results must be given to the Clerk to be published in the Journal.

Notwithstanding the provisions of Rule 33 and unless otherwise ordered by the Senate, when the annual General Appropriation Bill or any reapportionment bill or any Resolution affecting the sine die adjournment date is received by the Senate to be placed on the calendar, it shall be placed in a position under the masthead of the calendar as the first order of business to be taken up each day immediately following the conclusion of the call of the Uncontested Local and Statewide Calendar.

~~Not later than the first Tuesday in March, the Senate Finance Committee should report to the full Senate the annual Proviso Codification Bill. Notwithstanding the provisions of Rule 24, the Proviso Codification Bill must be composed only of those items that permanently codify a temporary proviso that has been included in the final version of a previous General Appropriations Bill.~~

RULE 11.

Writing and Withdrawal of Motions

When a motion is made, with the exception of motions made under Rule 14, if requested by any member, it must be reduced to writing, delivered at the desk, and read before the same is voted up or down; provided, however, that the request to have a motion reduced to writing shall not cause the mover of such motion to lose the floor. Any motion may be withdrawn by the mover at any time prior to being put before the body. Thereafter, it may be withdrawn only with the unanimous consent of the Senate. No motion may be made concerning a matter which has gone out of the possession of the Senate except a motion to recall, and if the same should prevail, the Clerk shall send an appropriate message requesting a return of the matter, and when returned shall be placed in the box.

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RULE 12.

Motion to Reconsider

No motion for the reconsideration of any vote shall be in order unless the matter is in the possession of the Senate, nor shall any motion to reconsider be in order unless made within the next two statewide legislative days of the actual session of the Senate thereafter, and by a Senator voting with the prevailing side. Except for procedural motions, a motion to reconsider may be made immediately after the act or motion to which it applies has occurred, during the motion period, during the time between the call of orders of business after the introduction and reference of new Bills and Resolutions, or during the time the bill or resolution is being debated.

RULE 13.

Points of Personal Privilege and Expressions of Personal Interest

Any member may rise to a point of personal privilege provided that a point of personal privilege shall be defined as questions affecting the rights, reputation and conduct of members of the body in their representative capacity.

A point of personal privilege must relate to persons as members of the body or relate to charges against the character of a member which charges, if true, would affect the rights of membership.

A member rising to a point of personal privilege must confine his or her remarks to those matters which concern the member personally and has only the right to defend himself or herself and no other persons.

All other remarks made by a member shall be regarded as an expression of personal interest. A member may only be recognized for an expression of personal interest between the call of orders of business and such remarks shall in all cases be limited to not more than five (5) minutes.

RULE 14.

Privileged Motions

When a question is under debate, no motion shall be entertained, unless otherwise provided for in the Rules, but

1. To adjourn
2. To adjourn to a date and time certain
3. To recede for a fixed period of time or to a time certain
4. To appeal a decision of the Chair
5. To go into Executive Session
6. To take up order of the day

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7. To continue
8. To lay on the table
9. To adjourn debate to a certain day or to adjourn debate
10. To carry over
11. To strike out the enacting clause
12. To commit or recommit
13. To reconsider
14. To amend

which several motions may only be made by the Senator having the floor and shall have precedence in the order in which they are above arranged, and the first ten (10) of which shall be determined without debate. A motion to lay an amendment on the table being agreed to shall not have the effect of disposing of the main question.

Provided, however, when a Bill or any other matter is under debate, a motion to carry over may be made by the Senator having the floor, with such Senator retaining the floor on that Bill or any other matter upon an affirmative vote of twenty-six (26) members of the Senate. Provided, that when a Bill or any other matter is under debate and a motion to carry over is made pursuant to a majority vote of the Rules Committee for a carry over motion, the Senator having the floor shall retain the floor on that Bill or other matter upon a majority vote of those members present and voting. The Rules Committee vote requirement can be fulfilled either at a duly called meeting of the Rules Committee or the Committee may be polled in accordance with Rule 10. A motion to carry over, with the Senator retaining the floor, may be made by the President Pro Tempore at any time.

No motion to carry over, either by the Senator who has the floor, the President Pro Tempore, or by the Rules Committee as provided herein, shall be in order for any Bill in the status of Interrupted Debate for less than one legislative day. The failure of a motion to carry over by an individual Senator, the President Pro Tempore, or by the Rules Committee shall not cause the member who has the floor to lose the floor.

When a motion to adjourn debate is passed, the Bill to which it applies is subject to consideration on the next legislative day that the Senate reaches that order of business. When a motion to adjourn debate to a date certain is passed, the Bill to which it applies is not subject to consideration until the date so specified, if the Senate reaches that order of business. If the Senate does not reach that order of business, the Bill remains in adjourned debate status.

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A motion to ratify acts may be made by any Committee Chairman at any time and must receive a majority vote of the membership of the Senate.

At any time and with the Senator who has the floor retaining the floor, the President Pro Tempore or his designee may make a motion to recede for a fixed period of time or to a time certain.

Whenever a member who has been recognized and properly holds the floor makes a motion relating to any business, matter or other question before the Senate, such motion shall require a majority vote of those present and voting unless otherwise provided. If a request is made to repeat or restate any such motion, it shall only be repeated or restated by the member originally making the motion.

No member may make any dilatory motion, including placing amendments on the desk, or take any other action or use any parliamentary tactic for the purpose of delaying or obstructing business.

RULE 15.

A.

Fixing a Time Certain to Vote

Except for any Reapportionment Bill, the debate on the question of third reading of a Bill or Resolution may be brought to a close by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting, if such Bill or Resolution has been under debate for two (2) hours on the current legislative day. The debate on any other matter pending before the Senate, except as otherwise provided in these Rules, may be brought to a close by a majority of the membership of the Senate after one (1) hour of debate on the current legislative day.

Notwithstanding the provisions of Rule 14 or any other rule, such motion may be made after the time period provided for herein has elapsed and may be made by any member and shall not be subject to amendment or debate. Such motion shall include a fixed time for the vote. Any Senator may request a call of the Senate prior to the vote being ordered.

However, notwithstanding the provisions of Rule 14, during the final three (3) statewide legislative days prior to the date set for sine die adjournment, the time periods provided above may be waived by three-fifths (3/5) of the Senators present and voting.

Except as otherwise provided by a motion adopted under the provisions of Section C of this rule, when the time for a vote arrives, as set under this rule, the Senate shall proceed to a consideration (seriatim) of the amendments on the desk and upon disposition of all amendments,

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proceed immediately to a vote on the main question. Opponents and proponents of an amendment shall be granted an equal amount of time in the discretion of the presiding officer, not to exceed twenty (20) minutes.

Except as otherwise provided by a motion adopted under the provisions of Section C of this rule, when a motion to fix a date or time certain has been agreed to, the Clerk of the Senate, at that time, is prohibited from receiving any future or further amendments to the pending matter unless the Clerk certifies that an amendment is necessary to correct some technical error or omission or conform the language of an amendment to an action of the Senate taken previous to the consideration of the amendment. Any question to which the Senate has agreed to fix a date or time certain shall become the unfinished business of the Senate and shall be considered on each subsequent legislative day immediately after the call of the Uncontested Local Calendar.

B.

Notwithstanding the provisions of Rule 14 or any other Rule of the Senate, when any Reapportionment Bill has been under debate for two statewide legislative days, the President shall immediately recognize any Senator for the purpose of a motion to bring the debate to a close. Upon being made, the President shall at once state the motion and submit to the Senate by a ye and no vote the question:

“Is it the Sense of the Senate that the debate shall be brought to a close?”

And if that question shall be decided in the affirmative by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting, then said measure pending before the Senate, or unfinished business, shall be the unfinished business of the Senate to the exclusion of all other business until disposed of.

Thereafter, no Senator shall be entitled to speak in all, more than one hour on the measure, pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. After no more than forty-six hours of consideration of the measure, motion, or other matter on which cloture has been invoked, the Senate shall proceed, without further debate on any question, to vote on the final disposition thereof to the exclusion of all other matters.

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C.

Except for any reapportionment Bill and notwithstanding the provisions of Rule 14, the President Pro Tempore or his or her designee shall have the right to make a motion to establish a schedule for a future date and time for the vote on any Bill or Resolution, which is in the status of Interrupted Debate, Adjourned Debate or Special Order. The motion shall also establish the time when no further amendments may be placed on the desk and the limitations on consideration and debate of amendments and the main questions. Any such motion shall not be subject to amendment or debate and must be adopted by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting and if adopted, then the Bill or Resolution shall be the business of the Senate on the date and time set, to the exclusion of all other matters.

RULE 16.

**Vote by Ayes and Noes
Senators Present Must Vote**

Except as otherwise provided, the decision of the Senate on any question other than unanimous consent shall be taken by all members voting 'viva voce' or electronically when a roll call is required, if an electronic voting system is available. Votes on the following matters shall be taken by roll call and the names of the Senators voting shall be recorded in the Journal:

(1) Second reading of Joint Resolutions proposing amendments to the South Carolina Constitution and third reading of such Joint Resolutions that are substantively amended on third reading;

(2) The question on any act returned from the Governor with his or her objections;

(3) Second reading of Bills and Resolutions having the force and effect of law and third reading of such Bills and Resolutions that are substantively amended on third reading, however items on the Consent Calendar, for which no request to be moved to the Statewide Second Reading Calendar having been received nor amendments placed on the desk, shall be read individually and a single roll call vote shall be applied to each;

(4) Adoption of reports of conference committees and free conference committees and the granting of free conference powers;

(5) The question on concurrence or the adoption of a substantive amendment proposed to Bills or Resolutions returned from the House of Representatives; and

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(6) Any vote on the main question of an amendment for which there is a request for a roll call by three (3) Senators and the vote on any other motion for which there is a request for a roll call by five (5) Senators.

Prior to third reading of the annual general appropriations bill, each section of Part IA with the corresponding provisos must be considered individually and receive a roll call vote.

Upon a call of the Senate and unless a division is ordered, the Senators present shall vote alphabetically, unless voting electronically, when a roll call is required and every Senator present must give his or her vote as aye, no, or abstain unless excused by the Senate.

No Senator who is absent when the vote is taken and the result announced by the President shall be allowed to vote without leave of the Senate. A Senator who is absent from a vote may not be recorded as voting on that matter.

RULE 17.

President to Vote When There is a Tie

When the Senate is equally divided on any question, the Clerk shall take the decision of the President, who may assign the reason of his or her vote.

RULE 18.

A Question May Be Divided

If a question in debate contains several points, any Senator may move to have the same divided and shall state how the division is to be made. Such motion shall be decided by a majority of the Senators present and voting after not more than five (5) minutes of debate. On a motion to strike out and insert it shall not be in order to move for a division of the question; but a rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion to simply strike out prevent a subsequent motion to strike out and insert.

RULE 19.

A.

Standing Committees of the Senate

The Standing Committees of the Senate shall be as follows and shall have jurisdiction over legislation, appointments and other matters which

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fall within the title or titles of the Code of Laws as are herein below enumerated for each of the Committees:

Agriculture and Natural Resources - Titles 4 (county fairs), 39 (agricultural and food products), 46, 47, 48 (land resources, soil and water conservation, mining, oil and gas, and wetlands), and 49

Banking and Insurance - Titles 21 (trust companies), 29, 34, 35, 36, 37, and 38

Corrections and Penology - Titles 2 (community corrections) and 24

Education - Titles 2 (higher education), 51, 59, and 60 (school governance and structure at all levels)

Ethics

Finance - Titles 1 (State Budget and Control Board), 2 (bonding authority, taxation, finances), 3, 4 through 6 (bonding authority, taxation, finances), 8 (employment standards, retirement, deferred compensation), 9, 10, 11, and 12, Constitution (bonding authority, taxation, finances)

Fish, Game and Forestry - Titles 48 (forestry and fire protection), 49, 50, and 51

General Committee - Titles 1 (state emblems and observances), 5 (cemeteries), 25, 26, 27 (cemeteries), 39 (blind persons), 43, 45, ~~and 52~~, 53, and 63 (children's services, childcare)

Invitations

Judiciary - Constitution, Titles 1, 2, ~~3~~, 4, 5 through 8, 14 through 23, ~~26~~, 27, 28, 30, 32, 33 (electric cooperatives), ~~36, 39 (business and corporate matters)~~, 42, 44 (drug related offenses), 53, 56 (criminal offenses), 58, 61, 62 and 63 (family court, legal issues, juvenile justice)

Labor, Commerce and Industry - Titles 1, (occupational licensing, building codes), 4 through 6 (building, construction, planning, fire codes), 13, 23 (firefighting), 31, 33, 39 (business matters, chemicals, industrial products), 40 and 41

Medical Affairs - Titles 39 (drug products), 40 (health care professionals), 43, 44, and 48 (pollution control, waste management, water and sewer)

Rules - Senate Rules, Joint Rules

Transportation - Titles 5 (streets, sidewalks, parking), 54, 55, 56, 57, and 58 (Regional Transportation Authorities and railroads)

Matters shall be referred to the appropriate standing committee with jurisdiction over the primary subject matter addressed by the Bill or Resolution. If there is any objection to the referral of any bill or resolution to any Standing Committee, the Rules Committee shall hear the same, resolve the issue and report to the Senate within one (1)

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legislative day its decision which decision may be overruled by a vote of twenty-nine (29) Senators.

The several committees shall have such powers and duties as provided for in these rules. It shall not be in order for any committee to consider any proposed committee amendment (other than a technical, clerical, or conforming amendment) which contains any significant matter not within the jurisdiction of the committee proposing such amendment.

B.

Committee Composition

The membership of the above listed committees shall be as follows: The Committees on Judiciary and Finance shall each have twenty-three (23) members. All other standing Committees except the Committee on Ethics and the Committee on Invitations shall have seventeen (17) members. The Committee on Ethics shall be composed of ten (10) members. Of the ten (10) members selecting a seat, five (5) shall be members of the majority party and five (5) shall be members of the minority party. The Committee on Invitations shall be limited to not more than eleven (11) members. The total membership of each Standing Committee shall be composed of members of the two major political party caucuses in proportion to the number of Senators of each of such political party caucuses as nearly as possible and ensuring that the majority party as defined in these Rules contains a majority of the membership within each Standing Committee. For purposes of determining committee composition, percentages shall be rounded as follows: percentages of .49 or below shall be rounded down and percentages of .50 and above shall be rounded up.

Membership on the Judiciary Committee excludes membership on the Finance Committee and vice versa.

Committee seniority shall be determined by tenure within the committee rather than tenure within the Senate. When members with seniority transfer to a new committee, their seniority will be counted ahead of newly-elected Senators.

Where two or more Standing Committees are combined, initial membership on such committee shall be based on tenure within the Senate.

C.

Special Committees

In addition to the above listed Standing Committees, there shall be two (2) Special Committees to be known as the Committee on Interstate Cooperation which shall be composed of five (5) members and the Operations and Management Committee selected by the President Pro

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Tempore. The Chairman of the Interstate Cooperation Committee and the Operations and Management Committee shall in all cases be the most senior senator of the majority party serving thereon or in his or her absence the next most senior Senator of the majority party serving thereon.

D.

Committee Selections

Members of the Senate shall make their committee selections at the commencement of the session following the election of Senators or in the case of a special election, at such session designated for that purpose by the President Pro Tempore. In the case of a special election, the President Pro Tempore must call a session for the purpose of committee selections within three statewide days after a Senator elected in a special election has taken the oath of office.

Members of the Senate may not select more than five (5) Standing Committees. The Committee on Ethics, the Committee on Invitations, the Committee on Interstate Cooperation, and the Operations and Management Committee are not included in this limitation.

For the members to make their Standing Committee selections, the Clerk of the Senate (or if the Clerk has not been elected, the Clerk of the Senate during the preceding General Assembly or an assistant clerk) shall prepare a roll of the Senate listing the members in the order of length of continuous service, beginning with the longest continuous service. Where two or more members have equal continuous service they shall be listed in alphabetical order. The Clerk of the Senate shall also prepare a list of each Standing Committee and the number of seats available to members of each party. The Clerk of the Senate shall then call the roll twice in order of continuous service. Each member, upon his or her name being called during the first call of the roll, shall select four (4) unfilled Standing Committees on which he or she wishes to serve (and shall also select at this same time a seat on any or all of the Ethics, Invitations and Interstate Cooperation Committees so long as a vacancy exists). Each member must select either the Finance or Judiciary Committee during the first call of the roll.

When the prescribed number of seats provided for a particular party within a Standing Committee has been filled, the President shall announce that the seats available for either the Majority or Minority party are filled. When the roll is called for the second time, it shall be called in reverse order of continuous service and each member upon his or her name being called, may select one additional unfilled Standing Committee on which he or she wishes to serve.

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In the event any member is unable to be present for selection of Standing Committees, that member may authorize in writing any member of the Senate to make selections in his or her behalf. This procedure shall be followed on the first day of the session following the election of Senators and at any other session where a newly elected member(s) is seated and the President Pro Tempore has made the designation within the timeframe hereinabove provided. Any Senator who served on a Standing Committee in the session immediately past shall have the right to select such committee, regardless of the Senator's seniority in the Senate, unless the Senator shall elect to be removed from such committee by the choices made by the member during the first round of selection of committees or unless the number of seats available to his respective party have already been filled.

Except as otherwise provided herein, in the selection by members of a seat on a Senate Standing Committee, the seniority system from the previous session shall be retained so as to become a part of these rules.

E.

Chairmen of the Standing Committees

In the selection of the Chairman of the Standing Committees, the senior member of the Committee from the majority party, in terms of seniority within the Committee, shall be the Chairman of the Standing Committee. The Chairman of the Standing Committee shall serve for the quadrennium concurring with the term of the Senators adopting these Rules. If a vacancy occurs in the Chairmanship of a Standing Committee, then the next most senior member of the majority party shall become Chairman of the Committee for the remainder of the original term. However, a Senator shall serve as Chairman of only one of the Standing Committees, but may chair a Standing Committee and a Special Committee concurrently.

Should any Senator, during his term of office, cease to be a member of the political party of which he was a member at the time of his election, he shall not be deemed, thereby, to have forfeited all Committee memberships to which he may have been elected and shall not waive all seniority within each of the committees of which he or she was member if a majority of the caucus to which the member switches consents to that Senator retaining his seniority within the Committees to which he was a member at the time of his switch. No Senator elected as a Chairman of a Standing Committee at the opening of a session shall lose that Chairmanship even if a Senator switches parties and because of that switch becomes the senior member of the majority party on that Committee.

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Each Committee Chairman shall have necessary staff to oversee the operation of the committee and its staff appointed by the Committee Chairman and such Committee counsel, staff assistants, and pages as the Chair of the Committee may deem necessary. The number of positions and salaries of personnel selected pursuant to this provision shall be subject to the approval of the Operations and Management Committee.

The Chair of any Committee may appoint subcommittees to consider a particular bill or resolution or to consider matters relative to a portion of work of the Committee. Such subcommittees shall make recommendations to the Committee. The Chair of the full Committee shall name the chairman of the subcommittee who need not be the senior member appointed to the subcommittee. The total membership of a subcommittee shall be composed of members of the two major political parties if practicable. The Chair of the full Committee shall be an ex officio member of all subcommittees and entitled to vote, but shall not be counted as a member for purposes of a quorum.

F.

Operations and Management Committee

The Operations and Management Committee, through the Clerk of the Senate and subject to the Committee's approval, shall oversee the day-to-day operation of the Senate including the allocation of office space between members. The Sergeant-at-Arms shall appoint such number of employees as Deputy Sergeant-at-Arms, subject to the approval of the Operations and Management Committee, as are necessary for the proper transaction of the business of the Senate.

Each Senator, who is not a Committee Chairman, shall hire such number of pages and other employees as is necessary for the proper transaction of their legislative business. The Operations and Management Committee shall determine the number and salary ranges for these positions. All staffing decisions, including the hiring and firing of all staff, unless otherwise provided herein, shall be the sole responsibility of the affected Senator who must ensure that his or her employees follow the policies and procedures of the Operations and Management Committee, which shall be enforced by the Operations and Management Committee. However, if an employee works for more than one Senator, then the decision to hire and fire must be made by both of the affected Senators. If an agreement cannot be reached regarding the hiring and firing of an employee who works for more than one Senator, then the Operations and Management Committee shall arbitrate the dispute and render a decision which decision shall be final.

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The Operations and Management Committee shall also oversee the Office of Senate Research which shall provide assistance as requested by Senate members and committees of the Senate. The Operations and Management Committee shall appoint a majority and minority research director and such other research counsel and staff assistants as is necessary for the proper transaction of its business.

G.

Committees of Conference and Free Conference

Committees of conference and free conference between the two Houses shall be comprised of three members. The chairman of the committee with jurisdiction over the Bill which is the subject of the request for appointment of conference committee shall select one member; the Majority Leader of the Senate shall select one member; and the President Pro Tempore shall select one member. In all cases, the chairman of the committee of conference or free conference shall be chosen by a majority of the appointed conferees.

H.

Committee Meetings

The following schedule shall be the regular meeting times for Standing Committees when the General Assembly is in session. Any additional or special meeting may be called only by individual Committee Chairmen subject to the provisions of the Freedom of Information Act.

Every Tuesday

~~3:00 p.m.~~ 11:00 a.m. - Finance and Judiciary

1st and 3rd Wednesday

10:00 a.m. - Fish, Game and Forestry

11:00 a.m. - Transportation

2nd and 4th Wednesday

9:00 a.m. - General

10:00 a.m. - Education

11:00 a.m. - Banking and Insurance

1st and 3rd Thursday

9:00 a.m. - Corrections and Penology;

10:00 a.m. - Medical Affairs

2nd and 4th Thursday

9:00 a.m. - Labor, Commerce and Industry

~~9:30~~ 10:00 a.m. - Agriculture and Natural Resources

The Rules Committee, Ethics Committee, Interstate Cooperation Committee, and the Invitations Committee shall meet at the call of the

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Chair. Provided, however, that nothing herein shall prohibit the Chairman of a Standing Committee from canceling a committee meeting. No committee, except the Rules Committee, shall hold a meeting while the Senate is in session without first being granted leave by the Senate.

The above listed dates refer to calendar weeks as opposed to session weeks. The date, time and place of any called meetings shall be reported to the Clerk of the Senate who shall post such information in the lobby of the Gressette Senate Office Building and the State House. Notice of regular scheduled meetings, as well as called meetings, shall be posted in accordance with the South Carolina Freedom of Information Act.

Each Standing Committee is responsible for keeping minutes of all meetings of the full committee. The vote total on any matter before the committee shall be recorded in the minutes and a roll call vote must be recorded upon request of five Senators.

RULE 20.

Priority of Business not Debatable

All questions relating to the priority of business to be acted upon shall be settled without debate.

RULE 21.

Bills May Be Recommitted

After commitment and report of a Bill to the Senate, or at any time before its passage it may be recommitted by a motion to recommit which can only be made when the matter is under debate or by unanimous consent or when the Senate is in the Motion Period and such question shall be decided after not more than ten (10) minutes of debate.

RULE 22.

All Bills Referred to Committees, and to Provide for Recalling Bills From Committees

All Bills or Joint Resolutions when first read shall be referred to the appropriate committees. After the expiration of five legislative days from the date of reference, any Bill, or Joint or Concurrent Resolution, except the General Appropriation Bill may be recalled from any committee by a majority vote of the Senators present and voting; before the expiration of five days from the date of reference, any Bill, or Joint or Concurrent Resolution may be recalled from committee by the vote of three-fourths (3/4) of the Senators present and voting.

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All Concurrent Resolutions which invite persons to address the General Assembly in joint session shall be referred to the Invitations Committee and shall only be voted on by the Senate after they have been approved by a majority of the members of such committee or the invitation discharged from the Committee by a majority vote. The provisions of this paragraph shall not apply to Concurrent Resolutions which invite, in the opinion of the Chairman of the Invitations Committee, persons of national prominence to address the General Assembly. However, such an invitation must be approved by a majority vote of the Senate. The Clerk is authorized to endorse Resolutions expressing congratulatory messages or sympathy without a reading.

RULE 23.

Printing

All Bills and Resolutions when placed on the Calendar shall be printed and made available to the Senators.

RULE 24.

A.

Clauses in Bill Must Be Germane

No clause shall be inserted in a Bill or Resolution unless the same is germane to the Bill or Resolution. In order to be germane, an amendment must be a natural and logical change or expansion directly related to the specific subject of the Bill or Resolution, as defined in the Bill or Resolution, and must not raise any new or independent matter different from the specific subject of the Bill or Resolution. Any perfecting amendment must be germane to both the amendment to be perfected and the underlying Bill or Resolution and must not offer a new proposition or substantially alter the main amendment.

Matter which is germane to the subject of the General Appropriation Bill and any Supplemental Appropriation Bill shall be defined as those things which reasonably, specifically, and inherently directly relate to the raising or spending of revenue for or in the fiscal year for which the bill applies and do not temporarily or permanently add, amend, or repeal a portion of the general permanent laws of South Carolina. Nothing in this paragraph prohibits the temporary suspension of any permanent law.

The provisions of this rule must be strictly construed.

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B.

**Vote Requirement for General Permanent Laws Included in
Reports of Conference Committees on Appropriation Bills**

Any part, section, or division of a general or supplemental appropriation bill which reasonably, specifically, and inherently directly relate to the raising and spending of revenue for or in the fiscal year which the bill applies or any future years, and which amends, adds, or repeals a portion of the general permanent laws of South Carolina that is not otherwise prohibited by the South Carolina Code of Laws may only be included in any conference report or concurred in as a House amendment by a vote of three-fifths (3/5) of the Senators present and voting.

RULE 25.

Bill by Committee

No Bill or Resolution shall be introduced in the name of a Committee except with the approval of two-thirds (2/3) of the members thereof at a duly called meeting of the Committee; and the Chairman of the Committee shall certify thereon that this rule has been complied with.

RULE 26.

A.

**Second Reading of Bills, Recommittal
and Amendments on Third Reading**

After a bill has been called for second reading, the President shall recognize the Bill's primary sponsor and/or the committee or subcommittee chairman with jurisdiction over the bill for brief explanatory comments on the bill. These explanatory comments shall not be counted for the purposes of the time limits specified in Rule 15A. Upon conclusion of the explanatory comments, the Senate immediately shall begin consideration of any amendments on the desk.

If a motion under Rule 15A has been adopted and all amendments on the desk have been considered, the Senate will proceed to a vote on the main question after one (1) hour of debate with thirty (30) minutes for and thirty (30) minutes against.

The final question upon the second reading of every Bill, Resolution, Constitutional Amendment (or motion originating in the Senate), and requiring three readings previous to being passed, shall be, "Shall it pass and be ordered to a third reading?"

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B.

Amendments on Third Reading

No amendment shall be received on third reading of a Bill or Resolution, unless three-fifths (3/5) of the Senators present and voting give leave for the amendment to be received. The primary sponsor of an amendment offered on third reading may be recognized for up to three (3) minutes to explain the amendment prior to the vote required under this provision being taken. Any amendment offered pursuant to this provision must be in conformance with Rule 24.

C.

Amendments on Third Reading Debatable

Whenever an amendment is received, pursuant to Rule 26B, on a third reading of any Bill, Resolution, or amendment, the same shall be debatable.

D.

Motion to Commit Always in Order

It shall at all times be in order before the final passage of any such Bill, Resolution, Constitutional Amendment, or motion, to move its commitment. Any such motion shall be decided after no more than ten (10) minutes debate, five (5) minutes for and five (5) minutes against. Should such commitment take place and amendment be reported by the Committee, the said Bill, Resolution, Constitutional Amendment, or motion, shall be again considered and read a second time.

E.

Fiscal Estimate Required Prior to Second Reading

Any Bill or Resolution affecting the expenditure of money by the State shall, prior to receiving second reading, have attached to it in writing such comment of the State Budget Office as may appear appropriate regarding its effect on the finances of the State.

Any Bill or Resolution affecting the expenditure of money by any county, municipality, school district, or special purpose district within the State shall, prior to receiving second reading, have attached to it in writing a statement by the Committee Chairman that the passage of such Bill or Resolution may affect the revenue of counties, municipalities, school districts, or special purpose districts.

Failure to comply with the provisions of this rule does not limit debate on such a Bill or Resolution prior to the question of second reading.

The provisions of this section shall not apply where the exact amount of money to be spent or expended is clearly set out in the Bill or Resolution.

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RULE 27.

Presentation of Papers

Senators, when presenting petitions, memorials or reports, or introducing Bills or Resolutions, may make a brief statement, not exceeding three (3) minutes, on the subject matter of such report, Bill or Resolution, or send it to the President, when it shall be read by the Reading Clerk, unless otherwise ordered.

RULE 28.

Message to the House

All messages to the House of Representatives shall be sent by the Clerk, as required by the actions of the Senate.

RULE 29.

The Clerk Charged with Printing

The Clerk shall be charged with the duty of having executed, in a proper and accurate manner, the printing ordered by the Senate or provided in the Rules; provided, however, that notwithstanding any other rule to the contrary, any Resolution which expresses sympathy, congratulations or commendation shall be printed in the Senate Journal by title only unless a member requests that the full text of the Resolution be printed in the Journal.

RULE 30.

All Papers to Be Delivered to Clerk at Close of Session

At the close of every bi-annual session the members of the Senate shall be required to hand in to the Clerk all petitions not reported on, and all papers in any way appertaining to the legislative business of the Senate, that the same may be regularly filed in his or her office.

RULE 31.

Executive Sessions

When considering confidential or executive business the Senate shall be cleared of all persons except the President, the Senators, the Clerk of the Senate, the Reading Clerk, and the Assistant Clerk designated by the Clerk of the Senate, the Sergeant-at-Arms of the Senate and such Deputy Sergeants-at-Arms required to ensure the security of the Executive Session.

All appointments made by the Governor and delivered to the Senate shall be referred to such committee of the Senate in accordance with the provisions of Rule 19 which are applicable to the reference of bills. Such

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appointment shall be considered at the next meeting of such committee or such other time as the committee may determine. No report may be made on an appointment unless and until the committee has held a screening hearing and given the appointee an opportunity to appear before the committee. A screening hearing or any portion of a screening hearing, may be held in Executive Session only if allowed pursuant to applicable provisions of law and upon the vote of two-thirds (2/3) of the members of the committee. Any information or material provided to or developed by the committee in an Executive Session and any communications between a Committee Chairman and the appointing authority must be held confidential and only reported to the full Senate in Executive Session. If a committee fails to make a report on an appointment to the full Senate within two (2) weeks after a screening hearing, then the Senate may recall the appointment in Executive Session. Executive Sessions must be held on committee reports on appointments pursuant to applicable provisions of law, unless the Senate agrees to take up any such report in open session.

Before going into Executive Session, the Senate shall vote in open session on the question of whether to go into Executive Session and the reason therefore. When a motion to go into Executive Session is agreed to, the President shall announce publicly the purpose or purposes of the Executive Session as specified by the member making the motion. No final action may be taken by the Senate in the Executive Session on appointments. For the purpose of this Rule, "final action" means a decision by the Senate which constitutes a dispositive act regarding the consideration of an appointment. No vote may be taken on a final action in Executive Session, and the confirmation of appointments must be voted on in open session.

When the Senate is in Executive Session, any member may make a motion to bring the debate to a close in the Executive Session or to rise from the Executive Session and such motions must be decided without debate by a majority of the Senators present and voting. When the Senate rises from an Executive Session and the report of an Executive Session is received by the Senate, the final question on every appointment shall be: "Will the Senate advise and consent to this appointment?" Confirmation of statewide appointments shall be by roll call vote unless otherwise agreed to by unanimous consent.

Messages containing appointments may be published in the Journal when received as other messages, and the fact that an appointment has been made or that it has been confirmed or rejected shall not be regarded as a secret. When considering appointments in Executive Session, all

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information communicated, or remarks made by a Senator concerning the character or qualifications of the person appointed and any action or failure to act on any appointment(s) required to be kept confidential by applicable provisions of law shall be kept secret.

Other messages from the Governor pertaining to confidential matters shall be subject to such secrecy or publication as the Senate, in each instance, may order.

Any Member or Officer of the Senate who violates the secrecy provisions of this rule shall be subject to the provisions of Rule 44 of the Senate and Article 5 of Chapter 13 of Title 8 of the Code of Laws.

RULE 32

A.

Order of Business

1. Called to Order by the President
2. Prayer by the Chaplain
3. Pledge of Allegiance
4. Receipt of Communications
5. Introduction and reference of new Bills and Resolutions
6. Call of the Uncontested local Third Reading Calendar
7. Call of the Uncontested local Second Reading Calendar
8. Call of the Uncontested Statewide Third Reading Calendar
9. Call of the Consent Calendar
- ~~9~~10. Call of the Uncontested Statewide Second Reading Calendar
- ~~10~~11. Motion Period
- ~~11~~12. Acts returned by the Governor
- ~~12~~13. Reports of Committees of Conference and Free Conference
- ~~13~~14. Bills and Resolutions returned from the House of Representatives
- ~~14~~15. Interrupted Debate
- ~~15~~16. Adjourned Debate
- ~~16~~17. Special Order
- ~~17~~18. Call of the contested Statewide Third Reading Calendar
- ~~18~~19. Call of the contested Statewide Second Reading Calendar
- ~~19~~20. Call of the contested local Calendar

The order of business above provided for may be varied by vote of two-thirds (2/3) of the Senators present and voting and any order or business already completed may be reverted to in any legislative day by the vote of two-thirds (2/3) of the Senators present and voting. A motion to vary the order of the day shall be in order, prior to, or at the completion

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of, any orders enumerated above or during the motion period and any such motion shall be decided without debate.

For the order of business designated as Interrupted Debate there shall not be more than one (1) Bill in this status at any one time provided however, that this limitation shall not apply to the General Appropriation Bill. For the order of business designated as Adjourned Debate there shall not be more than two (2) Bills in this status at any one time. For the order of business designated as Special Order there shall not be more than three (3) Bills on second reading and three (3) Bills on third reading in this status at any one time. Provided that of the Special Order slots, one (1) shall be reserved exclusively for Bills which are the subject of motions authorized by the Rules Committee and made by the Chairman of the Rules Committee or his or her designee, and provided only one bill may be in this status on any reading at any one time. The Bill occupying the slot reserved for the Rules Committee shall have a unique notation to call such status to the Senate's attention.

When a Bill or Resolution is returned from the House of Representatives or an Act or Joint Resolution is returned by the Governor with his or her objections, the message shall be read and the matter placed on the Calendar for consideration the next legislative day. However, in the final two (2) weeks before the date set for sine die adjournment, this requirement may be waived upon a motion adopted at the time the message is read in which case the matter will be considered when the Senate reaches that order of business. Such motion shall be decided without debate.

B.

Contested Calendar

On any legislative day, a Senator may move no more than five ~~three~~ Bills or Resolutions from the Uncontested Statewide Calendar to the Contested Statewide Calendar and each such Bill or Resolution shall have a notation on the Senate's calendar stating the name of the Senator who contests the Bill or Resolution.

During the motion period, a motion may be made by the Chairman of the Rules Committee to call any Bill or Resolution, which has been on the calendar for a minimum of six (6) statewide legislative days, from the Contested Calendar. Except for explanatory remarks, such motions shall be determined without debate and by a majority of the Senators present and voting. If agreed to, the Bill or Resolution shall be considered in the ordinary course of business after Special Orders.

However, in the final two (2) weeks before sine die adjournment, a Bill or Resolution which is on the calendar, may be called from the

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Contested Calendar by the Rules Committee upon majority vote of the committee and shall be considered in the ordinary course of business after Special Orders.

C.

Bills and Resolutions Returned from the House of Representatives

If a Bill or Resolution is returned from the House of Representatives with amendments that add subject matter that is not germane to the Bill as passed by the Senate pursuant to Rule 24 or that is substantially similar to a bill on the Senate Calendar or in a standing committee of the Senate or a subcommittee thereof, the President must, upon recommendation of the President Pro Tempore or his designee, refer the matter to the Standing Committee with jurisdiction over the bill. After which, the Bill or Resolution may be reported to the full Senate to be considered when the Senate next reaches that order of business. All bills returned from the House of Representatives shall be subject to debate as provided for bills on third reading in Rule 15A. The referral required under this provision may be waived by three-fifths (3/5) of the Senators present and voting upon motion of any Senator at the time of referral and the debate on any such motion is limited to no more than twenty (20) minutes, ten (10) minutes for and ten (10) minutes against.

D.

Reports of Committees of Conference and Free Conference

Notwithstanding the provisions of Rule 32A, during the final three (3) statewide legislative days prior to the date set for Sine Die adjournment, reports of committees of conference and free conference and Sine Die Resolutions shall be in order at any time except when a question of order has been raised, when the Senate is voting on any matter, while ascertaining a quorum, or when a Senator who has been recognized prior thereto makes a motion to adjourn.

RULE 33.

Motion Period and Special Orders

A.

During the motion period, any motion pertaining to the business of the Senate may be made. When a motion is made to set a Bill for Special Order, time shall be given to one proponent and one opponent to speak on the motion. Such remarks shall be limited in the discretion of the presiding officer provided, that no Bill may be taken up during the motion period for the purpose of debating the merits of the Bill or for the purpose of giving the Bill a reading. Procedural motions shall be decided without debate; provided, that procedural motions which present a main

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question, such as a motion to recall, are subject to not more than ten minutes of debate, five (5) minutes for and five (5) minutes against. The motion period shall not exceed thirty (30) minutes unless extended by a majority of Senators present and voting.

At any time, the President Pro Tempore, after consultation with the Majority Leader and Minority Leader, may make any motion pertaining to the business of the Senate and such motion shall be adopted upon approval of three-fourths (3/4) of the membership of the Senate.

B.

During the motion period, all motions to set a Bill or Resolution for Special Order on a subsequent legislative day shall be in order irrespective of whether the Bill or Resolution was given a reading on the legislative day the motion is made. Said motions shall be considered in the priority established by the recognition of the Senators making said motions. Each such motion shall relate to a separate Bill or Resolution. Except for explanatory remarks authorized in subsection A, such motions shall be determined without debate and by two-thirds (2/3) of the Senators present and voting. Provided, that, when authorized in writing by a majority of the members of the Rules Committee and delivered to the desk, a motion to set a bill for Special Order, shall require a vote of a majority of the members present and voting. At no time may the Special Order calendar have more than one Bill which is set for Special Order by a motion authorized by the Rules Committee. During the motion period, no Bill or Resolution can be made a Special Order ahead of Bills or Resolutions which have already been placed in the status of Adjourned Debate.

If a Bill is set for Special Order on a date and/or time certain, such Bill is not subject to consideration at the specified date and/or time unless the Senate reaches that order of business or unless by unanimous consent the Senate has agreed that consideration of the Bill will be to the exclusion of all other matters pending before the Senate at such time.

If a Bill or Resolution is set for Special Order for second reading and subsequently receives such reading, the Bill or Resolution shall remain on Special Order unless otherwise agreed to by three-fifths (3/5) of the Senators present and voting. If debate is interrupted on a Bill or Resolution on Special Order, the Bill or Resolution shall be considered after the call of the uncontested local calendar.

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RULE 34.

Calendar of Continued Bills

When a Bill or other matter is under debate, a Senator may move to continue it as provided for in Rule 14, to the 2nd, or any special session of the same General Assembly, and if the Senate agrees thereto, the matter shall be continued only to the next regular session unless otherwise specified in the motion. However, if a Bill or other matter has been under extended debate on three (3) consecutive legislative days or has been under debate for five (5) hours on any one legislative day, then any Senator may move to continue the matter to the 2nd, or any special session of the same General Assembly.

The Clerk of the Senate shall make up a Calendar of all matters so continued, placing the same thereon in the order in which they have been continued. At the ensuing session the continued matters shall be taken up and considered in the same stage in which they were when so continued. Matters ordered to be placed in the General Orders at the said ensuing session shall be placed there in turn and have priority according to the last order for consideration made upon them, and the Calendar shall be proceeded in as hereinbefore provided.

RULE 35.

**Admission to the Floor of Senate
Granting the Privilege of the Floor**

A.

No person shall be admitted to the floor of the Senate to that area behind the rail while the Senate is in session or in recess during a session, except as follows: immediate family members of a Senator; Members of the House of Representatives and their Clerk and Sergeant-at-Arms; former members of the Senate and House of Representatives unless such former member is a lobbyist registered pursuant to the provisions of Chapter 17 of Title 2 of the Code of Laws, a candidate or acting on behalf of a candidate for an office elected by the General Assembly or confirmed or elected by either the House or Senate, or a member of the governing body or employee of any state agency or department; the Governor and one member of his or her staff; Constitutional Officers; Justices of the Supreme Court; President and Vice-President of the United States; Members of Congress; Governors of States and Territories; and such Senate staff, Senators' staff, no more than one member of the staff of each Senate Caucus, and Lieutenant Governor's staff, as the President of the Senate or any Member or Officer of the

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Senate may see fit to invite to a seat behind the rail. Members of the House of Representatives and former Members of the General Assembly, not subject to the foregoing limitations, shall be allowed on the floor of the Senate inside the rail. Members of a Senator's immediate family shall be allowed inside the rail only for the purposes of introductions.

Not less than two hours prior to the daily convening of the Senate and while the Senate is in session or in recess during a session no person, except those hereinabove enumerated, shall be allowed beyond the outer doors of the Senate antechamber. Persons not hereinabove enumerated may be admitted only to the antechamber when accompanying a Senator, but any such person is required to leave immediately upon conclusion of their business.

The Senate Cloakroom is reserved for the exclusive use of the Members of the Senate and their guests.

B.

Any member who wishes to have the privilege of the area of the floor behind the rail granted to a guest shall make such request, in writing, to the Chairman of the Senate Invitations Committee not less than two weeks prior to the date for which the request is made. Upon affirmative vote of three-fourths (3/4) of the membership of the Invitations Committee, the Chairman of the Committee is authorized to grant access to the area behind the rail for a limited period of time and with such conditions and limitations as the Chairman and/or the Committee deems appropriate. If the number of guests involved exceeds more than half of the maximum seating capacity in the area behind the rail, then the committee shall direct that these guests be seated in the balcony. No exceptions to this Rule may be made.

Guests who are granted the privilege of the chamber behind the rail may not approach the podium unless the written request so specifies and the committee approves the request. A motion to grant the privilege of the floor within the rail may only be made by the Chairman or Vice Chair of the Invitations Committee.

Any request to grant the privilege of the floor to address the body from the podium must be made in writing to the Chairman of the Invitations Committee two weeks prior to the date for which the request is made. Upon an affirmative vote of three-fourths (3/4) of the membership of the Invitations Committee to grant such a request, the committee must introduce a Senate Resolution to that effect. The Senate must adopt this Resolution by majority vote of the entire membership.

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C.

The use of the Senate Chamber is restricted to statewide sessions of the Senate or such other meetings of the Senate or its committees as the Senate may, by Resolution, authorize. The use of the Senate Chamber for meetings by outside groups or individuals is limited to normal business hours on Monday through Friday and is prohibited unless authorized by a vote of the Senate upon a favorable recommendation of the Senate Invitations Committee. Incidental use or visitation by individuals or group tours may be authorized by the Clerk of the Senate.

RULE 36.

Places Assigned to Reporters

Reporters of public journals, upon application to the Clerk of the Senate, shall be assigned such places for the execution of their duties as shall not interfere with the convenience of the Senate. Any reporter for whom such application is made shall, in addition to the assigned places, be allowed free access to the Senate Antechamber during the time the Senate convenes and adjourns each legislative day. Reporters of the public journals shall be allowed in the area behind the rail in specific locations as designated by the Clerk of the Senate with the approval of the Operations and Management Committee and are strictly prohibited from conducting interviews whether or not initiated by a member of the media or a member of the Senate. Still photographers, upon application to the Clerk of the Senate, shall be granted access to the floor, behind the rail, for the exclusive purpose of taking photographs and upon completion of their assignment shall retire from the floor.

RULE 37.

**Bills Shall Receive Three Readings--Resolutions
and Committee Reports to Lie on Table One Day**

Every Bill shall receive three different readings, on three different days prior to its being passed, and the President shall give notice of each, whether it be the first, second, or third reading. All Resolutions to which the approval and signature of the Governor may be requisite, or which may grant money out of the contingent or any other fund, shall be treated in all respects, as to introduction and form of proceedings on them in the Senate, as Bills. All other Resolutions and Reports of standing, special, conference and free conference Committees shall lie on the table one statewide legislative day for consideration provided, however, that during the six (6) statewide legislative days preceding the date set for sine die adjournment the one day requirement as to a specific Resolution

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or report of a committee may be suspended by a vote of three-fifths (3/5) of the Senators present and voting. The provisions of this Rule do not apply to amendments to sine die Resolutions that have been previously approved by the Senate.

First and Third Readings by Title

The first and third readings of each Bill shall be by its title only; provided, that on each second reading the Bill shall be read in full on the motion of any Senator which shall be decided without debate.

RULE 38.

Precedence of Motion to Refer

A motion to refer to a Standing Committee shall take precedence over a motion to refer to a Special Committee.

RULE 39.

Printed Bills to Be on Desk One Day Before

Second Reading

No Bill or Joint Resolution shall receive a second reading unless printed and made available to the members at least one day previous to such reading. Bills and Joint Resolutions first placed on the Consent Calendar for second reading consideration shall have a notation calling such status to the Senate's attention and shall not be considered for second reading.

RULE 40.

Title to Bills to Amend or Repeal Acts

Every Bill or Joint Resolution which shall propose the amendment or repeal of any Section, Chapter or Title of the General Statutes, or of any Act of Assembly or Joint Resolution, shall in its title express the subject matter of such Section, Chapter, Title, Act or Joint Resolution so sought to be amended or repealed. Every Bill or Joint Resolution proposing to amend any Section or Sections of any Chapter of the General Statutes, or of any Act or Joint Resolution, shall give the full text of the said Section or Sections, as it or they would read with such amendment or amendments inserted therein. After January 1, 2017, no Act or Joint Resolution may include a provision designating that the Act or Joint Resolution may be referred to, cited as, or the like by reference to a person's or animal's given name or nickname.

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RULE 41.

Broadcasts by Television and Radio

Broadcast media shall be allowed in the area behind the rail in specific locations as designated by the Clerk of the Senate with the approval of the Operations and Management Committee and are strictly prohibited from conducting interviews whether or not initiated by a member of the media or a member of the Senate.

The Operations and Management Committee shall have full authority to regulate, supervise and fix times of broadcasts of the proceedings of the Senate by radio or television.

RULE 42.

Jefferson's Manual to Govern Other Cases

In all cases not embraced by the foregoing Rules, the Senate shall be governed by such rules as are laid down in the 1801 version of Jefferson's Manual of Parliamentary Practice.

RULE 43.

Suspending and Amending Rules

Any rule of the Senate or severable portion of a rule of the Senate may be suspended by unanimous consent of the Senate. Without unanimous consent one day's previous notice shall be given of a motion to suspend any of the rules or severable portion thereof. A motion to suspend shall require a vote of two-thirds (2/3) of the membership of the Senate.

At the convening of the 2019 legislative session, any permanent amendment of the Senate rules directly related to the implementation of Article III, Section 37 of the S.C. Constitution may be made by adoption of a Senate Resolution that has been referred to and has received a favorable report from the Rules Committee within the first two weeks from the convening of the 2019 legislative session and upon such report the Resolution shall be placed in a masthead position on the calendar.

Any permanent amendment, rescission, or repeal of any of the Senate rules shall require a two-thirds (2/3) vote of the total membership of the Senate. However, at the convening of the 2018 legislative session, any permanent amendment of the Senate rules may be made by adoption of a Senate Resolution, by three-fifths (3/5) of the Senators present and voting, that has been referred to and has received a favorable report from the Rules Committee within the first two weeks from the convening of the 2018 legislative session and upon such report the Resolution shall be placed in a masthead position on the calendar.

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The Clerk of the Senate shall have these rules recorded in a permanent book which shall be kept at all times in the Senate Chamber. All permanent changes in the rules after they have been adopted shall be recorded in a Permanent Rule Book and certified by the Clerk of the Senate. These rules shall remain in full force and effect until the conclusion of the terms for Senators or until the Rules are amended, suspended, or repealed by a vote of two-thirds (2/3) of the membership of the Senate prior thereto.

Rule 44.

Ethics Committee Duties

Rules 44, 44.1 and 44.2 from the previous session shall remain in effect until March 31, 2017. Rules 44, 44.1 and 44.2 as contained herein are effective on April 1, 2017, and thereafter.

A.

In the Senate there shall be a Committee on Ethics, consisting of ten (10) members. The ethics committee has the following powers and duties:

~~(1) To receive complaints or charges concerning conduct alleged to be unethical from any citizen of this State or member of the Senate against Senate:~~

- ~~(a) members;~~
- ~~(b) former members, provided the allegations are related to the former member's service in the Senate;~~
- ~~(c) candidates;~~
- ~~(d) former candidates, provided the allegations are related to the former candidate's bid for Senate;~~
- ~~(e) officers and employees;~~
- ~~(f) staff and independent contractors of a legislative caucus committee.~~

~~Only sworn written complaints or charges may be considered.~~

~~(2) To file a complaint upon concurrence of at least six members of the Senate Ethics Committee when alleged violations are identified. Unethical conduct may include, but is not limited to, a:~~

- ~~(a) violation of Chapter 13 of Title 8;~~
- ~~(b) violation of Chapter 17 of Title 2; or~~
- ~~(c) breach of this Rule by a person designated in (1) above or as designated by statute.~~

~~(3) To investigate such complaints and charges and, if warranted, to report the results of such investigation to the Senate with recommendations for further appropriate action as authorized by law.~~

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~~(4) Upon request of any member, officer, or employee of the Senate to render advisory opinions with regard to legislative ethics when, in their judgment, such opinions would serve the public interest, and to act as an advisory body to the Senate and to individual members of or candidates for the Senate on questions pertaining to the disclosure and filing requirements.~~

~~(5) To make available annually to the Senate a compilation of the principles set forth in advisory opinions rendered.~~

~~(6) To administer or recommend appropriate sanctions or dismiss charges.~~

~~(7) To ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of Chapter 13 of Title 8 and promptly notify the person to file the necessary notices and reports to satisfy the requirements.~~

(1) ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of Chapter 13, Title 8, which may include, but is not limited to, an audit of filed reports and applicable campaign bank statements, and to promptly notify the person to file the necessary notices and reports to satisfy these requirements;

(2) receive complaints filed by individuals and, upon a majority vote of the total membership of the committee, file complaints when alleged violations are identified;

(3) upon the filing of a complaint alleging a violation by a Senate member or staff, or a member or staff of a legislative caucus committee, or a Senate candidate, for a violation of Chapter 13, Title 8 or Chapter 17, Title 2, other than a violation of a rule of the appropriate house, the ethics committee shall refer the complaint to the State Ethics Commission for an investigation pursuant to Section 8-13-540;

(4) receive, investigate, and hear a complaint which alleges a possible violation of a breach of a privilege or a rule governing a Senate member or staff or legislative caucus committee, or Senate candidate;

(5) a complaint may not be accepted by the ethics committee concerning a Senate member or candidate during the fifty-day period before an election in which the member or candidate is a candidate. During this fifty-day period, any person may petition the court of common pleas alleging the violations complained of and praying for appropriate relief by way of mandamus or injunction, or both. Within ten days, a rule to show cause hearing must be held, and the court must either dismiss the petition or direct that a mandamus order or an injunction, or both, be issued. A violation of Chapter 13, Title 8 by a candidate during this fifty-day period must be considered to be an

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irreparable injury for which no adequate remedy at law exists. The institution of an action for injunctive relief does not relieve any party to the proceeding from any penalty prescribed for violations of Chapter 13, Title 8. The court must award reasonable attorney's fees and costs to the nonpetitioning party if a petition for mandamus or injunctive relief is dismissed based upon a finding that the:

(a) petition is being presented for an improper purpose such as harassment or to cause delay;

(b) claims, defenses, and other legal contentions are not warranted by existing law or are based upon a frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; and

(c) allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after reasonable opportunity for further investigation or discovery.

Action on a complaint filed against a Senate member or candidate which was received more than fifty days before the election but which cannot be disposed of or dismissed by the ethics committee at least thirty days before the election must be postponed until after the election;

(6) obtain information, investigate technical violation complaints, and hear complaints as provided in Section 8-13-540 with respect to any complaint filed pursuant to Chapter 13, Title 8 or Chapter 17, Title 2 and to that end may compel by subpoena issued by a majority vote of the committee the attendance and testimony of witnesses and the production of pertinent books and papers;

(7) administer or recommend sanctions appropriate to a particular Senate member or staff, or candidate for Senate, pursuant to Section 8-13-540, including the recovery of the value of anything transferred or received in breach of the ethical standards, or dismiss the charges; and

(8) act as an advisory body to the Senate and to individual Senate members or candidates on questions pertaining to the disclosure and filing requirements of Senate members or candidates, and may issue, upon request from a Senate member or staff, or legislative caucus committee, or Senate candidate, and publish advisory opinions on the requirements of Chapter 13, Title 8 and Chapter 17, Title 2.

(9) levy an enforcement or administrative fee on a person who is found in violation, or who admits to a violation, pursuant to Title 2 or Title 8. The fee must be used to reimburse the ethics committee for costs associated with the investigation and hearing of a violation as provided

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in Section 8-13-130. These fees and costs are in addition to any fines as otherwise provided by law.

(810) To recommend any rule or statutory change relating to ethics as the committee deems appropriate.

B.

All papers, documents, complaints, charges, requests for advisory opinions, and any other material ~~required to be~~ filed with or received by the committee shall be strictly confidential prior to a finding of probable cause, or a waiver of confidentiality by the respondent. No persons involved with a complaint ~~before the committee~~, including complainant, respondent, counsel, counsel's secretaries, committee members and staff, and investigators shall mention the existence of any such proceeding nor disclose any information pertaining thereto, unless otherwise permitted by the Rules. Disclosure of confidential information must be punished in a manner provided by the Ethics, Government Accountability, and Campaign Reform Act. If the Senate Ethics Committee finds that a person has violated the provisions of this item, it must report its findings to the Attorney General.

C.

Formal Advisory Opinions

(1) The ethics committee may issue a formal advisory opinion based on real or hypothetical sets of circumstances. In considering and formulating an advisory opinion the ethics committee shall consider its previous opinions, the relevant opinions of the House Ethics Committee, as well as relevant opinions issued by the commission in an attempt to create uniformity among the bodies. A formal advisory opinion issued by the ethics committee is binding on the committee, until amended or revoked, in any subsequent charges concerning the person who requested the formal opinion and any other person who acted in reliance upon it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. A formal advisory opinion must be in writing and is considered rendered when approved by a majority of the ethics committee members subscribing to the advisory opinion. Advisory opinions must be made available to the public unless the committee, by majority vote of the total membership of the committee, requires an opinion to remain confidential. However, the identities of the parties involved must be withheld upon request.

(2) The ethics committee only may issue formal advisory opinions for Senate members, staff and legislative caucus committees for which it has proper jurisdiction to make findings of fact and impose penalties pursuant to Chapter 13, Title 8.

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(3) The ethics committee must consider whether a person relied in good faith upon a formal advisory opinion or written informal staff opinion when considering a finding of misconduct.

~~C.~~

~~Information that must be made public following a finding of probable cause or waiver of confidentiality by the respondent are: the complaint; the response by the respondent; any exhibits introduced at a public hearing, subject to redaction of information of a personal nature where public disclosure would constitute unreasonable invasion of personal privacy; and the final order issued by the committee.~~

Rule 44.1.

Ethics Committee Procedures

A.

Complaint

~~All investigations, inquiries, hearings and accompanying documents must remain strictly confidential until a finding of probable cause, unless the respondent waives the right to confidentiality. However, the committee may vote before a finding of probable cause to disclose certain confidential information to the membership of the Senate in Executive Session and the committee must only disclose in Executive Session any action of the committee as is necessary for the members to make a fully informed decision on any matter before the Senate. In addition, the committee may vote before a finding of probable cause to disclose certain confidential information to the membership of the Senate if a member or former member of the Senate is appointed to an office which is subject to confirmation by the Senate and an ethics complaint has been filed and is pending against such member or former member. The Chairman of the Senate Ethics Committee must notify any Standing Committee with jurisdiction over the appointment, in Executive Session, of the existence and nature of the pending complaint if the committee, after a preliminary investigation, finds evidence to support an alleged violation. If the appointment is then brought before the Senate, the Senate may not consider the appointment until the Chairman of the Senate Ethics Committee notifies the Senate, in Executive Session, of the existence and nature of the pending complaint.~~

~~A certified copy of the sworn statement of charges against the respondent must be given to him or her within ten days of the time the statement of charges is received by the Chairman of the Ethics Committee. The respondent has the right to file a response to the complaint within fifteen calendar days after receipt of the complaint and~~

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~~to face and cross-examine his or her accusers and the witnesses against him or her at any hearing called by the Ethics Committee. All hearings following a finding of probable cause must be conducted in open session. The Ethics Committee must call a hearing if a majority of the membership of the Ethics Committee feels that the charges have merit or if the respondent formally requests a hearing.~~

~~No complaint may be accepted by the Ethics Committee concerning a member of or candidate for the Senate during the fifty-day period before an election in which the member or candidate is participating. During this fifty-day time period, a person may petition the court of common pleas alleging the violations complained of pursuant to the provisions of Section 8-13-530. Action on a complaint filed against a member or candidate which was received more than fifty days before the election but which cannot be disposed of or dismissed by the Ethics Committee at least thirty days before the election must be postponed until after the election.~~

~~If the Ethics Committee determines the complaint does not allege facts sufficient to constitute a violation, the complaint must be dismissed and the complainant and respondent notified. If the Ethics Committee finds that the complaining party willfully filed a groundless complaint, the finding must be reported to the Attorney General. If the Ethics Committee determines the complaint alleges facts sufficient to constitute a violation, it shall promptly investigate the alleged violation and may compel by subpoena the attendance and testimony of witnesses and the production of pertinent books and papers. The subpoena must be signed by the Chairman of the Senate Ethics Committee.~~

(A)(1) A complaint alleging a member of the Senate, legislative caucus committees, candidates for the Senate, or staff of the Senate or legislative caucus committee has committed a violation of Chapter 13, Title 8 or Chapter 17, Title 2 must be a verified complaint in writing and state the name of the person alleged to have committed the violation and the particulars of the violation.

(2) When a complaint is filed with or by the ethics committee alleging a violation of Chapter 13, Title 8 or Chapter 17, Title 2, a copy must be sent to the person alleged to have committed the violation and to the State Ethics Commission, hereinafter referred to as 'the commission' within thirty days from the date the complaint was filed, for an investigation. However, if the complaint only alleges a violation of a rule of the Senate, the ethics committee must forward a copy of the complaint to the person alleged to have committed the violation, and the

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ethics committee shall investigate and make a determination for a complaint.

(3) Upon completing its investigation, the commission must provide a report to the ethics committee with a recommendation as to whether there is probable cause to believe a violation of Chapter 13, Title 8 or of Chapter 17, Title 2 has occurred. A recommendation of probable cause requires an affirmative vote by six or more members of the commission. The report must include a copy of all relevant reports, evidence, and testimony considered by the commission.

(B)(1) All investigations, inquiries, hearings and accompanying documents are confidential and only may be released pursuant to Section 8-13-540.

(2)(a) Upon a recommendation of probable cause by the commission for a violation, other than a technical violation pursuant to Section 8-13-1170 or 8-13-1372, the following documents become public record: the complaint, the response by the respondent, and the commission's recommendation of probable cause.

(b) If the ethics committee requests further investigation after receipt of the commission's report, documents only may be released if the commission's second report to the committee recommends a finding of probable cause.

(C)(1) Upon receipt of the commission's report, the ethics committee may concur or nonconcur with the commission's recommendation, or within forty-five days from the committee's receipt of the report, request the commission to continue the investigation in order to review information previously received or consider additional matters not considered by the commission.

(2) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that there is not competent and substantial evidence a violation of Chapter 13, Title 8 or of Chapter 17, Title 2 has occurred, the committee shall dismiss the complaint and send a written decision to the respondent and the complainant. The notice of dismissal must be made public if the commission made a recommendation that probable cause existed.

(3) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that the respondent has committed only a technical violation pursuant to Section 8-13-1170 or 8-13-1372, the provisions of the appropriate section apply.

(4) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that there is competent and substantial evidence that a violation of Chapter 13, Title

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8 or of Chapter 17, Title 2 has occurred, except for a technical violation of Section 8-13-1170 or 8-13-1372, the committee shall, as appropriate:

(a) render an advisory opinion to the respondent and require the respondent's compliance within a reasonable time; or

(b) convene a formal public hearing on the matter.

The ethics committee may obtain its own information, or request additional investigation by the State Ethics Commission, if it needs additional information to make a determination as to whether or not competent and substantial evidence of a violation exists. An advisory opinion to the respondent pursuant to subitem (a) must be made public.

(5) If the ethics committee convenes a formal public hearing:

(a) the investigator or attorney handling the investigation for the State Ethics Commission shall present the evidence related to the complaint to the ethics committee;

(b) it is the duty of the investigator or attorney to further investigate the subject of the complaint and any related matters under the jurisdiction and at the direction of the ethics committee, to request assistance from appropriate state agencies as needed, to request authorization from the committee for funds for the hiring of auditors, investigators, or other assistance as necessary, to prepare subpoenas, and to present evidence to the committee at any public hearing. The ethics committee shall maintain the authority to approve subpoenas, authorize expenditures, dismiss complaints, schedule hearings, grant continuances, and as otherwise provided for by the Senate Rules;

(c) the respondent must be allowed to examine and make copies of all evidence in the ethics committee's possession relating to the charges. At the hearing the respondent must be afforded appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses;

(d) all hearings must be open to the public.

(6)(a) After the formal public hearing, the ethics committee shall determine its findings of fact and issue its final order.

(b) If the ethics committee, based on competent and substantial evidence, finds the respondent has not violated Chapter 13, Title 8 or Chapter 17, Title 2, the committee shall dismiss the complaint and send a written decision to the respondent and the complainant.

(c) If the ethics committee, based on competent and substantial evidence, finds the respondent has violated Chapter 13, Title 8 or Chapter 17, Title 2, the committee shall:

(i) administer a public reprimand;

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(ii) determine that a technical violation as provided for in Section 8-13-1170 or 8-13-1372 has occurred;

(iii) require the respondent to pay a civil penalty not to exceed two thousand dollars for each nontechnical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;

(iv) require the forfeiture of gifts, receipts, or profits, or the value of each, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;

(v) recommend expulsion of the member;

(vi) provide a copy of the complaint and accompanying materials to the Attorney General if the committee finds that there is probable cause to believe the respondent wilfully violated a section of Chapter 13, Title 8 or Chapter 17, Title 2 that imposes a criminal penalty;
or

(vii) require a combination of subitems (i) through (vi) as necessary and appropriate.

(d) The ethics committee shall report its findings in writing to the President Pro Tempore of the Senate. The report must be accompanied by an order of punishment or dismissal and supported and signed by a majority of the ethics committee members.

(e) Upon the issuance of the final order, the following documents become public record: exhibits introduced at the hearing, the committee's findings, and the final order. Exhibits introduced must be redacted prior to release to exclude personal information where the public disclosure would constitute an unreasonable invasion of personal privacy. In addition, any documents in the commission's report that substantiate the commission's recommendation of probable cause that would constitute a public document and are not exempt from disclosure under the Freedom of Information Act or other state or federal law also shall become public record. These documents must be redacted, as appropriate, in compliance with state or federal law.

(D) If, after conducting a formal public hearing, the ethics committee finds the respondent has violated Chapter 13, Title 8 or Chapter 17, Title 2, the respondent has ten days from the date of receiving the committee's order of punishment to appeal the action to the full Senate.

(E) No ethics committee member may take part in consideration of any matter in which they are the respondent, complainant, witness, or otherwise involved.

(F) The ethics committee shall establish procedures which afford respondents appropriate due process protections, including the right to

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be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses.”

(G) It is unlawful for anyone who is the subject of a pending investigation or open complaint, to contact or attempt to contact, either directly or indirectly, a member of the commission or the ethics committee to influence or attempt to influence the outcome of a pending investigation or open complaint.

No complaint shall be accepted which is filed later than four years after the violation is alleged to have occurred. Action may not be taken on a complaint filed more than four years after the violation is alleged to have occurred unless the person alleged to have committed the violation, by fraud or other device, prevents discovery of the violation.

B.

Findings of Probable Cause and Subsequent Actions by the Senate

~~All ethics committee investigations and records relating to the preliminary investigation are confidential unless otherwise permitted by the Rules.~~

~~If the Ethics Committee finds that probable cause exists to support an alleged violation after a preliminary investigation, it shall, as appropriate:~~

~~(1) render an advisory opinion to the respondent and require the respondent's compliance within a reasonable time; or~~

~~(2) convene a formal hearing on the matter.~~

~~If the Ethics Committee renders an advisory opinion and the respondent fails to comply, the committee must convene a formal hearing on the matter within thirty days of the respondent's failure to comply.~~

~~If a hearing is to be held, the respondent must be allowed to examine and make copies of all evidence in the Ethics Committee's possession relating to the charges. The Committee must establish procedures which afford respondents appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. All hearings must be conducted in open session.~~

~~After the hearing, the Ethics Committee shall determine its findings of fact. If the Committee, based on competent and substantial evidence, finds the respondent has violated Chapter 13, Title 8, or Chapter 17, Title 2, or violated this Rule, it shall:~~

~~(1) administer a public reprimand;~~

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(2) require the respondent to pay a civil penalty not to exceed two thousand dollars for each non-technical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;

(3) require the forfeiture of gifts, receipts, or profits, or the value thereof, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;

(4) recommend expulsion of the member;

(5) in the case of an alleged criminal violation, refer the matter to the Attorney General for investigation; or

(6) require a combination of items (1) through (5), as necessary and appropriate.

~~If the Ethics Committee finds the respondent has not violated a statutory provision or Rule or engaged in unethical behavior, it shall dismiss the charges.~~

~~The Ethics Committee shall report its findings in writing to the President Pro Tempore of the Senate. If the Committee finds a violation of a statutory provision or Rule or finds unethical behavior, the report must be accompanied by an order of punishment that is supported and signed by a majority of the Ethics Committee members.~~

~~The respondent has ten calendar days from the date of the notification of the Ethics Committee's action to appeal the action to the full Senate.~~

~~No Ethics Committee member may participate in any matter in which he is involved as a respondent.~~

Upon receipt of a recommendation of expulsion or an appeal from an order of the Ethics Committee, the President Pro Tempore shall call the Senate into open session at a time to be determined at his discretion to consider the action of the Ethics Committee. The Senate shall either sustain or overrule the Ethics Committee's action or order other action consistent with these Rules as otherwise permitted by statute. ~~The consideration and results of a Senate Ethics Committee report are a matter of public record.~~ Upon consideration of an ethics committee report by the Senate, whether in executive or open session, the results of the consideration are a matter of public record.

No member may vote on the question of his or her expulsion from the Senate.

Failure to fully comply with a final ethics order is a separate violation that may be considered by the ethics Committee.

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C.

Penalty for Failure to File Statements or Reports as Required

If the Senate Ethics Committee finds the respondent has failed to file or was late in filing a required statement of economic interest or campaign disclosure report, the Senate Ethics Committee must order the respondent to pay a fine according to the provisions in Section 8-13-1510.

D.

Technical Violations

The Senate Ethics Committee may, in its discretion, determine that errors or omissions on statements of economic interests and campaign disclosure reports are inadvertent and unintentional and not an effort to violate a requirement of Chapter 13, Title 8 and may be handled as technical violations not subject to the provisions of Chapter 13, Title 8 pertaining to ethical violations. The Senate Ethics Committee may assess a penalty for technical violations not exceeding fifty dollars.

E.

Receipt of Documents

In conjunction with the proceedings specified in Rule 44.2, the President Pro Tempore, and the Senate Ethics Committee on behalf of the entire Senate, may receive:

- (1) certified copies of any indictment or information for a felony or offense against the election laws filed or returned against any member of the Senate;
 - (2) certified copies of any plea of guilty or nolo contendere to the felony entered by any member of the Senate;
 - (3) certified copies of any conviction of a member for the felony;
- and
- (4) certified copies of any opinion, order, or judgment of any court, state or federal, trial or appellate, relating to any of the aforementioned matters.

Rule 44.2.

Rules Governing Actions Taken Against a Member

(a) If an indictment, information on a felony, or a warrant for the offenses provided in Sections 7-13-1920, 7-25-20, ~~7-25-40~~, 7-25-50, 7-25-60, 7-25-110, 7-25-120 and 7-25-150 of the Code of Laws, is filed, returned, or issued against a member of the Senate, the member indicted, charged or informed against may request the President Pro Tempore to excuse the member, without pay, from all privileges of membership of the Senate and the President Pro Tempore shall comply with the request.

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If the indictment, charge or information is either nol prossed or dismissed, or if the member is found not guilty of the offense or offenses charged or of lesser included offenses, the member may immediately return to active Senate duties and shall be paid all back pay and be restored to all other benefits and privileges retroactive to the date the member was excused.

(b) A member who enters a plea of guilty or nolo contendere to any offense listed in subsection (a) must be suspended by the President Pro Tempore immediately, without a hearing and without pay, from all privileges of membership of the Senate through the remainder of that member's term. In addition, the Senate Ethics Committee shall recommend expulsion of such member to the Senate and the Senate shall vote on the expulsion of such member in accordance with Section 12 of Article III of the Constitution of this State.

(c) A member convicted of any offense listed in subsection (a) must be suspended by the President Pro Tempore immediately, without a hearing and without pay, from all privileges of membership of the Senate pending final appellate action or the end of that member's term, whichever occurs first. If no appeal is taken by the member convicted, or if his or her appeal is denied, or if the final appellate decision is to sustain the conviction and the member's resignation is not forthcoming, the Senate Ethics Committee shall recommend expulsion of such member to the Senate, and the Senate shall vote on the member's expulsion in accordance with Section 12 of Article III of the Constitution of this State.

If the final appellate decision is to vacate the conviction and there is a retrial or rehearing, the member is subject to the provisions of subsection (a). If the final appellate decision is to vacate the conviction and no charges for any offense listed in subsection (a) remain against the member, the member is entitled to restitution of back pay and restoration of all other benefits and privileges of membership of the Senate retroactive to the date of suspension.

(d) The action provided for in subsections (a), (b), and (c) of this rule is in addition to other action authorized pursuant to Article III, Section 12 of the Constitution or other Senate rule. Pursuant to the Constitution and except as provided herein, a member may not be disciplined, suspended, or expelled without a vote of the Senate.

If the final appellate decision is to vacate the conviction and there is a retrial or rehearing, the member is subject to the provisions of subsection (a). If the final appellate decision is to vacate the conviction and no charges for any offense listed in subsection (a) remain against the

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member, the member is entitled to restitution of back pay and restoration of all other benefits and privileges of membership of the Senate retroactive to the date of suspension.

~~(d)~~(e) The action provided for in subsections (a), (b), and (c) of this rule is in addition to other action authorized pursuant to Article III, Section 12 of the Constitution or other Senate rule. Pursuant to the Constitution and except as provided herein, a member may not be disciplined, suspended, or expelled without a vote of the Senate.

RULE 45

**Selection of Senate Members for Committee to
Consider Qualifications of Candidates for
Offices Filled by Election by the
General Assembly**

Whenever an election in Joint Assembly is to be held by the General Assembly to fill offices which require election by the General Assembly, the President of the Senate shall notify the Chairman of the Standing Committee of the Senate which would be most concerned with the office or offices to be filled by the election, which Chairman shall thereupon appoint four Senators from his or her committee to serve on the Joint Senate-House Committee to consider qualifications of candidates to be elected. The total membership of such a Committee shall be composed of members of the two major political parties in proportion to the number of Senators of each of such political parties as nearly as practicable. All appointments to such joint committees shall be recorded in the Senate Journal.

RULE 46.

Recorded Floor Proceedings

The Clerk may record the following proceedings on the floor of the Senate:

- (1) Congratulatory remarks;
- (2) Speeches;
- (3) Points of Order and Rulings of the Chair regarding such points and such other proceedings as the Clerk determines necessary.

RULE 47.

Final Date House Legislation May Be Considered

Bills received after May 1 shall be received, read and referred to the appropriate committee but are not eligible to be taken up until the next regular session unless upon the report of such a bill by a committee it

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receives a two thirds (2/3) vote of the Senators present and voting to be placed on the calendar. Any bill failing to receive the required vote shall be returned to the committee. The committee report on any such bill received after the ~~May 1~~ April 10 deadline shall clearly indicate that the bill had been received after ~~May 1~~ April 10 and is subject to this rule.

A Point of Order to enforce the provisions of this rule shall be valid until the Bill which is the subject of the Point of Order is printed and has been laid on the desks of the members in compliance with Rule 39.

RULE 48.

Invitations

All invitations which are extended to the entire membership of the Senate must be referred to the Committee on Invitations for its consideration. The Senate may not accept any invitations to attend functions (social or otherwise) which are to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. The committee has the duty of determining whether or not the function is to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. Individual Senators may attend functions at any club without being censored or prejudiced in any manner.

The Invitations Committee shall adopt such procedures and requirements as it deems necessary to ensure that persons or organizations who extend invitations to the Senate have fully complied with the provisions of Act 248 of 1991 (The Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended). The committee shall make copies of any such procedure available upon request.

RULE 49.

Condemnatory Resolution

No Resolution of a condemnatory nature shall be considered by the Senate unless it has been sent to the appropriate committee at least twenty-four (24) hours prior to such consideration.

RULE 50.

Vote Requirements

The question of granting of free conference powers and the question of adoption of a free conference report shall require an affirmative vote of two-thirds (2/3) of the membership of the Senate.

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On the question of an act returned from the Governor with his or her objections, the presiding officer shall submit the following question to the Senate:

“Shall the act become law, the veto of the Governor to the contrary notwithstanding?”

And if that question shall be decided in the affirmative by two-thirds (2/3) of the Senators present and voting, then the Governor’s veto is overridden.

**RULE 51.
Local Matters**

A.

The Clerk of the Senate shall prepare a list for each county of the State the percentage of the population of that county that a Senator represents. For general bills with local application, a Senator’s vote shall be weighted based upon the percentage of the population of the county that the Senator represents. The provisions of Rule 16 do not apply to local matters.

B.

No general bill with local application shall be introduced unless personally signed by a Senator representing the county. No general bill with local application may be moved from the local uncontested calendar to the local contested calendar unless approved by a vote of three-fifths (3/5) of the Senators who represent the county as determined by their weighted voting percentages.

C.

When a general bill of local application is on the uncontested calendar, no further debate shall be allowed on the bill after no more than thirty (30) minutes of debate, fifteen (15) minutes for and fifteen (15) minutes against.

D.

For purposes of this Rule, when a general bill of local application affects consolidation of school districts or municipalities within a county, then that bill cannot be moved from the local uncontested calendar to the local contested calendar unless approved by a vote of three-fifths (3/5) of the Senators of at least one of the affected school districts or municipalities. Upon motion, the Clerk of the Senate shall prepare a list for each affected school district or municipality the percentage of the population of that school district or municipality that a Senator represents.

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E.

Unless all of the affected Senators of a county have agreed to an alternative method, candidates for gubernatorial appointment to local offices shall be considered for confirmation as described below:

Once received by the Senate, local appointments shall be referred to the appropriate county senatorial delegation. The delegation then may report the appointment to the Senate for consideration (1) if the Senators whose combined weighted vote is sixty-five percent or more favor such report or (2) if seventy-five percent of the members of the delegation favor such report.

RULE 52.

Personal Attacks on Senators not Permitted; Executive Session

A.

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

B.

If any Senator, in speaking or otherwise, in the opinion of the President transgresses this Rule the President shall, either on his own motion or at the request of any other Senator, call him to order; and when a Senator shall be called to order he shall immediately take his seat, and may not proceed without leave of the Senate, which if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

C.

Any Senator directed by the President to take his seat, and any Senator requesting the President to require a Senator to take his seat, may appeal from the ruling of the Chair, which appeal shall be open to debate but only after the Senate has proceeded to Executive Session.

RULE 53.

Seventy-Two Hour Budget Review

Except for explanatory remarks by the chairman and subcommittee chairmen of the Senate Finance Committee, the Senate may not consider the General Appropriation Bill, any Supplemental Appropriation Bill, any Joint Resolution appropriating revenues from the state's reserve funds, any bond bill, or any revenue raising measure as described in Section 11-11-440 until the Bill or Joint Resolution and any Committee Report on the Bill or Joint Resolution have been made publicly available

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in a conspicuous location on the General Assembly's website for seventy-two (72) hours.

The time periods provided above may be waived by agreement of two-thirds (2/3) of the Senators present and voting.

RULE 54

Prohibition on Noncandidate Committees

Notwithstanding Section 8-13-1340, a member of the Senate shall not, directly or indirectly, establish, finance, maintain, or control a noncandidate committee as defined in Section 8-13-1300. A noncandidate committee does not include a candidate committee or a legislative caucus committee.

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

Senator MASSEY explained the Senate Resolution.

Motion Adopted

At 1:27 P.M., Senator MASSEY moved the previous question to vote on the entire matter of S. 1.

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

Ayes 28; Nays 18

AYES

Alexander	Bennett	Bryant
Campbell	Campsen	Climer
Corbin	Courson	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Leatherman	Martin	Massey
Peeler	Rankin	Rice
Senn	Shealy	Talley
Timmons	Turner	Verdin
Young		

Total--28

NAYS

Allen	Fanning	Hutto
-------	---------	-------

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Jackson	Johnson	Kimpson
Malloy	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Reese	Sabb	Scott
Setzler	Sheheen	Williams

Total--18

The motion was adopted.

Senator MASSEY asked unanimous consent to make a motion that there be allowed five minutes for discussion on each amendment.

There was no objection.

Amendment No. 1

Senator MALLOY proposed the following amendment (1R005.KM.GM), which was tabled:

Amend the Senate resolution, as and if amended, page 20, by striking lines 16 - 19 and inserting:

/ Each Standing Committee is responsible for keeping minutes of all meetings of the full committee. The vote total on any matter before the committee shall be recorded in the minutes and a roll call vote must be recorded upon request of five Senators. No Senator who is absent from the full committee when a vote is taken may have his vote recorded on any matter. /

Renumber sections to conform.

Amend title to conform.

The question then was the adoption of the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 27; Nays 18

AYES

Alexander	Bennett	Bryant
Campbell	Campsen	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Gregory
Grooms	Hembree	Jackson

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Martin	Massey	Peeler
Rankin	Rice	Senn
Shealy	Talley	Timmons
Turner	Verdin	Young

Total--27

NAYS

Allen	Courson	Fanning
Hutto	Johnson	Kimpson
Leatherman	Malloy	<i>Matthews, John</i>
McElveen	McLeod	Nicholson
Reese	Sabb	Scott
Setzler	Sheheen	Williams

Total--18

The amendment was laid on the table.

Amendment No. 2

Senator MALLOY proposed the following amendment (1R008.KM.GM), which was tabled:

Amend the Senate resolution, as and if amended, page 12, by striking lines 16 - 42, and on page 13, by striking lines 1 -16 and inserting:

/ RULE 16.

Vote by Ayes and Noes

Senators Present Must Vote

Except as otherwise provided, the decision of the Senate on any question other than unanimous consent shall be taken by all members voting 'viva voce' or electronically when a roll call is required, if an electronic voting system is available. ~~Votes on the following matters shall be taken by roll call and the names of the Senators voting shall be recorded in the Journal:~~

~~(1) Second reading of Joint Resolutions proposing amendments to the South Carolina Constitution and third reading of such Joint Resolutions that are substantively amended on third reading;~~

~~(2) The question on any act returned from the Governor with his or her objections;~~

~~(3) Second reading of Bills and Resolutions having the force and effect of law and third reading of such Bills and Resolutions that are substantively amended on third reading, however items on the Consent~~

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~~Calendar, for which no request to be moved to the Statewide Second Reading Calendar having been received nor amendments placed on the desk, shall be read individually and a single roll call vote shall be applied to each;~~

~~(4) Adoption of reports of conference committees and free conference committees and the granting of free conference powers;~~

~~(5) The question on concurrence or the adoption of a substantive amendment proposed to Bills or Resolutions returned from the House of Representatives; and~~

~~(6) Any vote on the main question of an amendment for which there is a request for a roll call by three (3) Senators and the vote on any other motion for which there is a request for a roll call by five (5) Senators.~~

~~Prior to third reading of the annual general appropriations bill, each section of Part IA with the corresponding provisos must be considered individually and receive a roll call vote.~~

Upon a call of the Senate and unless a division is ordered, the Senators present shall vote alphabetically, unless voting electronically, when a roll call is required by five Senators in accordance with Article III, Section 22 of the South Carolina Constitution, and every Every Senator present must give his or her vote as aye, no, or abstain unless excused by the Senate.

No Senator who is absent when the vote is taken and the result announced by the President shall be allowed to vote without leave of the Senate. A Senator who is absent from a vote may not be recorded as voting on that matter. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question then was the adoption of the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 28; Nays 18

AYES

Alexander
Campbell

Bennett
Campsen

Bryant
Climer

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Corbin	Courson	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Jackson	Martin	Massey
Peeler	Rankin	Rice
Senn	Shealy	Talley
Timmons	Turner	Verdin
Young		

Total--28

NAYS

Allen	Fanning	Hutto
Johnson	Kimpson	Leatherman
Malloy	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Reese	Sabb	Scott
Setzler	Sheheen	Williams

Total--18

The amendment was laid on the table.

Amendment No. 3A

Senasssstor MALLOY proposed the following amendment (1R013.EB.GM), which was withdrawn:

Amend the Senate resolution, as and if amended, page 14, by striking line 7 and inserting:

/ 35, 36, 37, and 38 /

Amend the Senate resolution further, as and if amended, page 14, by striking line 25 and inserting:

/ through 23, ~~26~~, 27, 28, 30, 32, 33 (electric cooperatives), ~~36~~, 39/

Amend the Senate resolution further, as and if amended, page 14, by striking lines 31-32 and inserting:

/ planning, fire codes, 13, 23 (firefighting), 31, 33, 39 (chemicals, industrial products 0, 40 and 41 /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

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The amendment was withdrawn.

The question then was the adoption of the Resolution.

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

Ayes 28; Nays 18

AYES

Alexander	Bennett	Bryant
Campbell	Campsen	Climer
Corbin	Courson	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Leatherman	Martin	Massey
Peeler	Rankin	Rice
Senn	Shealy	Talley
Timmons	Turner	Verdin
Young		

Total--28

NAYS

Allen	Fanning	Hutto
Jackson	Johnson	Kimpson
Malloy	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Reese	Sabb	Scott
Setzler	Sheheen	Williams

Total--18

The Resolution was adopted.

Expression of Personal Interest

Senator SETZLER rose for an Expression of Personal Interest.

Remarks by Senator SETZLER

I rise as the senior member of the Senate, and those of you who serve with me know that I get emotional about my service in the Senate. I came here when I was 31 years old. I was the youngest member in the Body at that time, and soon I will begin my 41st year serving in the South Carolina Senate. In 11 elections, I had opposition 10 times. I thank God

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for the opportunity to serve here. I thank my constituents who allow me to serve here. We are all blessed and fortunate to be sitting here today.

In my years, I have worked with and witnessed a lot of change, and today, I will relate to you that the proposed changes and the concerns related thereof are not about the Rules. As background, let me remind you that we had 20 out of 46 Senators that had opposition in this year's election process. In essence, a majority of the members of the Senate had no opposition. Out of those 20 who had opposition, 5 were not sent back by the voters. If my calculations are correct, that is about 11% who did not return.

There is no mandate that what the South Carolina Senate has been doing is wrong or that our Rules are wrong. We could have operated under the old Rules and been just fine. The Republicans control the Senate, the Republicans control the House of Representatives, and we have a Republican in the Governor's Office. The Republicans can pass what they want to pass.

First, the concern is about the procedure and process whereby the Rules were drafted and the use and enforcement as we go forward. Former PRESIDENT *Pro Tempore* McConnell would have never allowed this to proceed as it was done. He always saw that it was a bipartisan process.

PRESIDENT *Pro Tempore* LEATHERMAN appointed a bipartisan group to get together to talk about Rules. Senator RANKIN and I were co-chairmen. On the morning the group was to meet, we got a call saying certain members were not attending because it was not a public meeting. We offered to make it a public meeting, posting it, and having it on another date to accommodate all requirements of a public meeting. We all agreed that the Rules needed to be discussed in public.

We never could get another bipartisan meeting set. We did get an outline of the proposed Rules, and 3 days ago on Saturday, we received the draft of the proposed Rules. Prior to that we had discussions, not negotiations.

Again, I do not have a problem with the Rules. The Rules that have just been adopted are not Republican rules, not Democrat rules, and not Independent rules. These are the Rules of the South Carolina citizens, and we are here to represent and do what is right for the people of our State. Eighteen Democrats know how to use the Rules we just adopted. It is not the Rules, it is the process.

Second, I take offense to the impression and implication that dilatory tactics were being utilized by Democrats; therefore, resulting in a need for new Rules. That is incorrect. This is not about someone, Democrat

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or Republican, trying to abuse the system. It is about protecting your rights to represent your constituents. This is not about party. This is about people being disenfranchised.

Thomas Jefferson, one of our founding fathers said, "Experience hath shown, that even under the best forms, those entrusted with power have, in time, and by slow operations, perverted it unto tyranny." He also said the only and most effective way was, "To illuminate, as far as practicable, the minds of people at large" thereby allowing for discussion, debate, and letting people see what goes on.

We have a set of Rules drafted by one group. The Democratic members of this Body did not object to them. But there are concerns about the Rules, and I actually think that dilatory parliamentary procedure Rule is going to be an issue for many, including those who fought for its inclusion. Putting interrupted debate before the Uncontested Calendar is another area of concern. Outside of the Chamber, you are going to find that any good lobbyist can figure out how to block the calendar utilizing this Rule. The Rule relating to making changes in 2018 gives me the impression that we better behave or the Rules will be changed again.

Members have already determined how to use the Rules, so I do not know what we have accomplished other than we have put at risk the bipartisanship, the cooperation, the dignity and respect that each member of the Senate deserves. We should be about doing the peoples' work.

In June of 2015, we had the unfortunate tragedy in Charleston at Mother Emanuel. We came back in session later that month, and I was proud as I saw more respect, I saw more cooperation, and I saw more people coming together to pass legislation that was important to this State.

In addition to that, we saw other changes. Senator MASSEY was elected as Majority Leader, and he and I have talked and agreed to work together. That is the type of cooperation that we need.

Many have heard about the traditions, customs and culture of the Senate. We all have a choice to make when we leave here today. We can go down a road of bipartisanship, cooperation, working together, and doing what is right for the people of South Carolina. Or, we can go down a road of partisanship where we turn this Body into Washington, DC.

I can tell you my choice. While I may not agree with you, I respect each one of your views, and that is part of the culture of the Senate. I hope that when we come back in January that we will work in a bipartisan way to do what is right for South Carolina and bring back the culture of the South Carolina Senate.

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I would like to use the hurricane, the flood, and the corridor of shame as an analogy. If you did not experience the hurricane, it is hard to imagine the devastation. If you did not experience the flooding in Columbia, it is hard to imagine. If you don't have schools with broken windows in buildings that are fifty years old, it is hard to experience it.

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

SELECTION OF COMMITTEES

The Senate proceeded to the selection of committees as follows:

STANDING COMMITTEES OF THE SENATE

AGRICULTURE AND NATURAL RESOURCES

Verdin, Daniel B. "Danny", III, Chairman

Matthews, John W., Jr.

Bryant, Kevin L.

Williams, Kent M.

Campbell, Paul G., Jr.

Sheheen, Vincent A.

Gregory, Chauncey K. "Greg"

Massey, A. Shane

McElveen, J. Thomas, III

Sabb, Ronnie A.

Reese, Glenn G.

Climer, David Wesley "Wes"

Fanning, Michael "Mike"

Goldfinch, Stephen L., Jr.

Rice, Rex

Senn, Sandra J. "Sandy"

Talley, Scott

BANKING AND INSURANCE

Cromer, Ronnie W., Chairman

Setzler, Nikki G.

Courson, John E.

Matthews, John W., Jr.

Reese, Glenn G.

Jackson, Darrell

Rankin, Luke A.

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Alexander, Thomas C.
Malloy, Gerald
Davis, Tom
Bennett, Sean
Williams, Kent M.
Hutto, Brad
Shealy, Katrina F.
Turner, Ross
Gambrell, Michael W. "Mike"
Timmons, William

CORRECTIONS AND PENOLOGY

Martin, Shane R., Chairman
Campbell, Paul G., Jr.
Massey, A. Shane
Allen, Karl B.
Shealy, Katrina F.
Turner, Ross
Kimpson, Marlon E.
Hutto, Brad
Bryant, Kevin L.
Matthews, Margie Bright
Davis, Tom
Nicholson, Floyd
Fanning, Michael "Mike"
McLeod, Mia S.
Rice, Rex
Senn, Sandra J. "Sandy"
Timmons, William

EDUCATION

Courson, John E., Chairman
Setzler, Nikki G.
Matthews, John W., Jr.
Rankin, Luke A.
Peeler, Harvey S., Jr.
Jackson, Darrell
Grooms, Lawrence K. "Larry"
Malloy, Gerald
Hutto, Brad
Sheheen, Vincent A.

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Hembree, Greg
Nicholson, Floyd
Young, Tom, Jr.
Turner, Ross
Rice, Rex
Senn, Sandra J. "Sandy"
Talley, Scott

ETHICS

Campbell, Paul G., Jr., Chairman
Rankin, Luke A.
Leatherman, Hugh K., Sr.
Courson, John E.
Peeler, Harvey S., Jr.
Reese, Glenn G.
Hutto, Brad
Matthews, John W., Jr.
Jackson, Darrell
Setzler, Nikki G.

FINANCE

Leatherman, Hugh K., Sr., Chairman
Setzler, Nikki G.
Peeler, Harvey S., Jr.
Courson, John E.
Matthews, John W., Jr.
Reese, Glenn G.
Alexander, Thomas C.
Grooms, Lawrence K., "Larry"
Verdin, Daniel B., "Danny", III
Cromer, Ronnie W.
Bryant, Kevin L.
Jackson, Darrell
Williams, Kent M.
Campbell, Paul G., Jr.
Davis, Tom
Nicholson, Floyd
Sheheen, Vincent A.
Martin, Shane R.
Scott, John L., Jr.
Gregory, Chauncey K. "Greg"

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Allen, Karl B.
Bennett, Sean
Corbin, Thomas D. "Tom"

FISH, GAME AND FORESTRY

Campsen, George E. "Chip", III, Chairman
Hutto, Brad
Cromer, Ronnie W.
Williams, Kent M.
Sheheen, Vincent A.
Gregory, Chauncey K. "Greg"
McElveen, J. Thomas, III
Young, Tom, Jr.
Matthews, Margie Bright
Matthews, John W., Jr.
Fanning, Michael "Mike"
Gambrell, Michael W. "Mike"
Goldfinch, Stephen L., Jr.
Rice, Rex
Senn, Sandra J. "Sandy"
Talley, Scott
Timmons, William

GENERAL COMMITTEE

Bryant, Kevin L., Chairman
Sheheen, Vincent A.
Shealy, Katrina F.
Young, Tom, Jr.
Johnson, Kevin L.
McElveen, J. Thomas, III
Corbin, Thomas D. "Tom"
Scott, John L., Jr.
Allen, Karl B.
Hembree, Greg
Turner, Ross
Climer, David Wesley "Wes"
Fanning, Michael "Mike"
Goldfinch, Stephen L., Jr.
McLeod, Mia S.
Talley, Scott
Timmons, William

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INTERSTATE COOPERATION

Leatherman, Hugh K., Sr., Chairman
Setzler, Nikki G.
Peeler, Harvey S., Jr.
Matthews, John W., Jr.
Reese, Glenn G.

INVITATIONS

Davis, Tom, Chairman
Alexander, Thomas C.
Reese, Glenn G.
Campsen, George E. "Chip", III
Cromer, Ronnie W.
Malloy, Gerald
Johnson, Kevin L.
Nicholson, Floyd
Hembree, Greg
Young, Tom, Jr.
Goldfinch, Stephen L., Jr.

JUDICIARY

Rankin, Luke A., Chairman
Hutto, Brad
Malloy, Gerald
Campsen, George E. "Chip", III
Massey, A. Shane
Hembree, Greg
Johnson, Kevin L.
McElveen, J. Thomas, III
Shealy, Katrina F.
Turner, Ross
Young, Tom, Jr.
Kimpson, Marlon E.
Sabb, Ronnie A.
Matthews, Margie Bright
Gambrell, Michael W. "Mike"
Climer, David Wesley "Wes"
Fanning, Mike
Goldfinch, Stephen L., Jr.
McLeod, Mia S.

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Rice, Rex
Senn, Sandra J. “Sandy”
Talley, Scott
Timmons, William

LABOR, COMMERCE AND INDUSTRY

Alexander, Thomas C., Chairman
Setzler, Nikki G.
Reese, Glenn G.
Leatherman, Hugh K., Sr.
Bryant, Kevin L.
Williams, Kent M.
Massey, A. Shane
Davis, Tom
Scott, John L., Jr.
Bennett, Sean
Corbin, Thomas D. “Tom”
Johnson, Kevin L.
Allen, Karl B.
Sabb, Ronnie A.
Gambrell, Michael W. “Mike”
Climer, David Wesley “Wes”
Goldfinch, Stephen L., Jr.

MEDICAL AFFAIRS

Peeler, Harvey S., Jr., Chairman
Courson, John E.
Jackson, Darrell
Hutto, Brad
Verdin, Daniel B. “Danny”, III
Martin, Shane R.
Nicholson, Floyd
Scott, John L., Jr.
Alexander, Thomas C.
Davis, Tom
Johnson, Kevin L.
Campbell, Paul G., Jr.
Corbin, Thomas D. “Tom”
Shealy, Katrina F.
Kimpson, Marlon E.
Matthews, Margie Bright

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Gambrell, Michael W. "Mike"

RULES

Massey, A. Shane, Chairman
Cromer, Ronnie W.
Reese, Glenn G.
Malloy, Gerald
Leatherman, Hugh K., Sr.
Martin, Shane R.
Gregory, Chauncey K. "Greg"
Campsen, George E. "Chip", III
Scott, John L., Jr.
Allen, Karl B.
Corbin, Thomas D. "Tom"
Young, Tom, Jr.
Kimpson, Marlon E.
Sabb, Ronnie A.
Grooms, Lawrence K. "Larry"
Nicholson, Floyd
Hembree, Greg

TRANSPORTATION

Grooms, Lawrence K. "Larry", Chairman
Leatherman, Hugh K., Sr.
Rankin, Luke A.
Verdin, Daniel B. "Danny", III
Malloy, Gerald
Campsen, George E. "Chip", III
Peeler, Harvey S., Jr.
Campbell, Paul G., Jr.
Bennett, Sean
Hembree, Greg
McElveen, J. Thomas, III
Johnson, Kevin L.
Kimpson, Marlon E.
Sabb, Ronnie A.
Matthews, Margie Bright
Climer, David Wesley "Wes"
McLeod, Mia S.

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INDIVIDUAL COMMITTEE ASSIGNMENTS OF THE SENATE

ALEXANDER, THOMAS C.

Banking and Insurance

Finance

Invitations

Labor, Commerce and Industry, Chairman

Medical Affairs

ALLEN, KARL B.

Corrections and Penology

Finance

General

Labor, Commerce and Industry

Rules

BENNETT, SEAN

Banking and Insurance

Finance

Labor, Commerce and Industry

Transportation

BRYANT, KEVIN L.

Agriculture and Natural Resources

Corrections and Penology

Finance

General, Chairman

Labor, Commerce and Industry

CAMPBELL, PAUL G., JR.

Agriculture and Natural Resources

Corrections and Penology

Ethics, Chairman

Finance

Medical Affairs

Transportation

CAMPSEN, GEORGE E. "CHIP", III

Fish, Game and Forestry, Chairman

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CLIMER, DAVID WESLEY “WES”

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CORBIN, THOMAS D. “TOM”

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COURSON, JOHN E.

Banking and Insurance
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CROMER, RONNIE W.

Banking and Insurance, Chairman
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DAVIS, TOM

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FANNING, MICHAEL “MIKE”

Agriculture and Natural Resources
Corrections and Penology
Fish, Game and Forestry
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Judiciary

GAMBRELL, MICHAEL W. “MIKE”

Banking and Insurance
Fish, Game and Forestry
Judiciary
Labor, Commerce and Industry
Medical Affairs

GOLDFINCH, STEPHEN L., JR.

Agriculture and Natural Resources
Fish, Game and Forestry
General
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Labor, Commerce and Industry

GREGORY, CHAUNCEY K. “GREG”

Agriculture and Natural Resources
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Fish, Game and Forestry
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GROOMS, LAWRENCE K. “LARRY”

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HEMBREE, GREG

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JOHNSON, KEVIN L.

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KIMPSON, MARLON E.

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LEATHERMAN, HUGH K., SR.

Ethics
Finance, Chairman
Interstate Cooperation, Chairman
Labor, Commerce and Industry
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MALLOY, GERALD

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MARTIN, SHANE R.

Corrections and Penology, Chairman
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MASSEY, A. SHANE

Agriculture and Natural Resources
Corrections and Penology
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Labor, Commerce and Industry
Rules, Chairman

MATTHEWS, JOHN W., JR.

Agriculture and Natural Resources
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Education
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Interstate Cooperation

MATTHEWS, MARGIE BRIGHT

Corrections and Penology
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McELVEEN, J. THOMAS, III

Agriculture and Natural Resources
Fish, Game and Forestry
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McLEOD, MIA S.
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NICHOLSON, FLOYD
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PEELER, HARVEY S., JR.
Education
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RANKIN, LUKE A.
Banking and Insurance
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REESE, GLENN G.
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RICE, REX

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SABB, RONNIE A.

Agriculture and Natural Resources
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SCOTT, JOHN L., JR.

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SENN, SANDRA J. "SANDY"

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SETZLER, NIKKI G.

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SHEALY, KATRINA F.

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SHEHEEN, VINCENT A.

Agriculture and Natural Resources
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Finance
Fish, Game and Forestry
General

TALLEY, SCOTT

Agriculture and Natural Resources
Education
Fish, Game and Forestry
General
Judiciary

TIMMONS, WILLIAM

Banking and Insurance
Corrections and Penology
Fish, Game and Forestry
General
Judiciary

TURNER, ROSS

Banking and Insurance
Corrections and Penology
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General
Judiciary

VERDIN, DANIEL B. "DANNY", III

Agriculture and Natural Resources, Chairman
Finance
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WILLIAMS, KENT M.

Agriculture and Natural Resources
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YOUNG, TOM, JR.

Education
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Invitations
Judiciary
Rules

SEATING SELECTIONS

Pursuant to the Rules, the Senate proceeded to the selection of seats.

The Reading Clerk called the roll in accordance with Rule 4 for the purpose of seating selections as follows:

Seat 1	Sen. Leatherman
Seat 2	Sen. Peeler
Seat 3	Sen. Courson
Seat 4	Sen. Rankin
Seat 5	Sen. Grooms
Seat 6	Sen. Massey
Seat 7	Sen. Cromer
Seat 8	Sen. Bryant
Seat 9	Sen. Alexander
Seat 10	Sen. Campbell
Seat 11	Sen. Campsen
Seat 12	Sen. Martin
Seat 13	Sen. Verdin
Seat 14	Sen. Davis
Seat 15	Sen. Corbin
Seat 16	Sen. Gambrell
Seat 17	Sen. Gregory
Seat 18	Sen. Hembree
Seat 19	Sen. Bennett
Seat 20	Sen. Turner
Seat 21	Sen. Shealy

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Seat 22 Sen. Young
Seat 23 Sen. Climer
Seat 24 Sen. Reese
Seat 25 Sen. Setzler
Seat 26 Sen. J. Matthews
Seat 27 Sen. Hutto
Seat 28 Sen. Sheheen
Seat 29 Sen. Nicholson
Seat 30 Sen. Malloy
Seat 31 Sen. Williams
Seat 32 Sen. Jackson
Seat 33 Sen. McElveen
Seat 34 Sen. M.B. Matthews
Seat 35 Sen. Kimpson
Seat 36 Sen. Johnson
Seat 37 Sen. Scott
Seat 38 Sen. Sabb
Seat 39 Sen. Allen
Seat 40 Sen. Goldfinch
Seat 41 Sen. Rice
Seat 42 Sen. Senn
Seat 43 Sen. McLeod
Seat 44 Sen. Talley
Seat 45 Sen. Timmons
Seat 46 Sen. Fanning

INTRODUCTION OF RESOLUTION

The following was introduced:

S. 2 -- Senators Setzler, Alexander, Allen, Bennett, Bryant, Campbell, Campsen, Climer, Corbin, Courson, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Shealy, Sheheen, Talley, Timmons, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE DR. JAMES "JIM" ST. JOHN UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF OUTSTANDING SERVICE TO HIS CONGREGATIONS AND THE SENATE OF SOUTH CAROLINA,

TUESDAY, DECEMBER 6, 2016

AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

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The Senate Resolution was adopted.

MOTION ADOPTED

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Sheriff Lonnie Carlisle “Bud” Richardson of Britton’s Neck, S.C. Bud was a six-term Sheriff of Marion County from 1977 until his retirement in 2000. He served as Marion County Commissioner and was a former chairman of Marion School District 4. Bud was a veteran of the U.S. Army and served twenty years in the National Guard before retiring as Lieutenant Colonel. Bud was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 4:32 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet January 10, 2017, at 12:00 P.M.

* * *

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