

NO. 14

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, JANUARY 31, 2017

**Tuesday, January 31, 2017
(Statewide Session)**

Indicates Matter Stricken

Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Genesis 9:12-13

And God said, "This is the sign of the covenant I am making between me and you and every living creature with you, a covenant for all generations to come. I have set my rainbow in the clouds and it will be a sign of the covenant between me and the earth."

Let us pray. Gracious and loving God, Your promises to us are eternal and true. You established the rainbow to remind us that these promises extend to all generations. The beauty of water and sunlight transformed into a multi-colored arch in the sky is breathtaking and majestic!

Likewise the House and Senate, while seeking Your blessing, have made promises to our beloved State for generations. We pray that these elected officials will honor these promises with resolve and with integrity as they seek to serve and be faithful to the people of South Carolina. May the House and Senate work together -- like water and sunlight in a rainbow -- to create something really special for all generations to come.

We offer this prayer that Your holy name may be praised. Amen.

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

Point of Quorum

At 2:03 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

| | | |
|-----------|----------|---------|
| Alexander | Bennett | Climer |
| Corbin | Cromer | Davis |
| Fanning | Gambrell | Gregory |

TUESDAY, JANUARY 31, 2017

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|---------|------------|----------|
| Grooms | Hembree | Hutto |
| Johnson | Leatherman | Martin |
| Massey | Nicholson | Peeler |
| Rankin | Rice | Sabb |
| Senn | Setzler | Shealy |
| Sheheen | Talley | Timmons |
| Turner | Verdin | Williams |
| Young | | |

A quorum being present, the Senate resumed.

ADDENDA TO THE JOURNAL

The following remarks by Senators CLIMER and SETZLER were ordered printed in the Journal of December 6, 2016:

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.

TUESDAY, JANUARY 31, 2017

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 seaport, resilient work force, proximity to large metropolitan areas, and so many other competitive advantages. But we also have crumbing 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 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 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

TUESDAY, JANUARY 31, 2017

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 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.

TUESDAY, JANUARY 31, 2017

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.

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

TUESDAY, JANUARY 31, 2017

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.

ADDENDA TO THE JOURNAL

The following remarks by Senators LEATHERMAN, MARTIN, MALLOY and RANKIN were ordered printed in the Journal of January 25, 2017:

Remarks by Senator LEATHERMAN

My remarks will be very brief. It's been a trying couple of days for us, but I appreciate each and every one of you that voted for me again -- I think the third time -- as PRESIDENT *Pro Tempore* of the South Carolina Senate and those who voted for Senator PEELER. I understand that you had your reasons for doing that and I'll leave that to you but I certainly look forward to continuing service as PRESIDENT *Pro Tempore*. I will do it with honor, integrity and fairness to all. I think those who have watched me as PRESIDENT *Pro Tempore* understand the fairness of me. I don't lean to one party or the other party, one side of the Chamber or the other side of the Chamber. That's not the duty of the PRESIDENT *Pro Tempore* of the South Carolina Senate. The PRESIDENT *Pro Tempore* of the South Carolina Senate is to be fair to all parties -- make sure they are heard -- and I certainly look forward to that.

Let me go to another subject very briefly. Last time I was elected PRESIDENT *Pro Tempore*, I said we need to start working on the decorum in this Body. We started working on that, you helped me, you helped your fellow Senators get to more of a decorum than what we had. I applaud the Senate for what you've done. I pledge to you that I will try to lead us down that road that we have decorum in this Body so that people can understand what we are doing here in the Senate and see that we are doing their business. That is my primary goal -- to make sure that this Senate does the business of the people and not get to where we're so crossed up with each other that we cannot do the business of the Senate of South Carolina. So again, to those that voted for me, thank you, and to those that voted for Senator PEELER, I understand you have your reasons and I look forward to continuing to lead this Senate in a way that I believe will serve the people of South Carolina. Thank you, Mr. PRESIDENT.

Remarks by Senator MARTIN

Mr. PRESIDENT, members of the Senate, I rise today with the honor of nominating for the office of PRESIDENT *Pro Tempore* of the South Carolina Senate, my friend and colleague, Senator KEVIN BRYANT. I make this nomination very well aware of what lies ahead for the next PRESIDENT *Pro Tempore*. I am very proud to support my friend and colleague even though it will soon mean his absence from our Body. I am glad for him but sad for myself and the South Carolina Senate. I have been privileged to serve with Senator BRYANT and gratified to become his friend. I'm proud to make this nomination for several reasons. Senator BRYANT has embodied, for me, a Senator who remains true to his principals while working with all other members of the Body to achieve positive gains for South Carolina. I hope that I have grown in that ability, and to the extent that I have, I owe a great deal of thanks to Senator BRYANT who has achieved consensus on issues ranging from cybersecurity, to school choice, to our state pensions. He has lead the way on reforming the Department of Employment and Workforce and succeeded in persuading this Body to use cash on hand for our state port dredging instead of borrowing money and incurring more debt. Being the one to work with him on this issue and help him achieve this, it taught me a valuable lesson and I thank you for that Kevin. His efforts to advance the cause of innocent life have been significant, and even more so because it took collaboration with all of our colleagues who may not have been in agreement. What impressed me most about Senator BRYANT, is he remained aware and in tune with the sentiments of all Senators. He and I talk often about making sure the minority gets heard because often times we were, and still are, in the minority. I believe he will continue to be fair in his new role and that makes me all the more pleased to make this nomination. I want to thank Senator BRYANT for his direction the second year into my first term. I became frustrated when Rule 24's were pending on the budget, and had reconsideration votes, and matters that required commitments. He advised me, "Senator, they'll quit coming to you once you make your commitment. You stand by that commitment and you keep your word." This advice served me well. I think it served Kevin well also. That is probably one of the biggest lessons he has helped me learn in this Body and I want to thank him for that. He has a record in this Body of respecting our rules, the members, and all the traditions of the South Carolina Senate. I believe he will conduct himself with that same respect. Senator BRYANT understands the Senate and what it takes to ensure each member's voice is heard

TUESDAY, JANUARY 31, 2017

whether it may be inconvenient to some or it may be a little frustrating. He understands it. That is why he is the person for the job. From his fight for Jessica's Law his very first year in the Senate to a couple years ago fighting for the tax payers in his home county of Anderson, he knows what it's like to be a Senator with a lonely and difficult position. That is why I know he is going to treat each and every one of us with all the care and respect that our rules will allow. There is one small advantage for me. Kevin and I used to talk about racing to the podium. With him no longer in the Chamber, I might actually get the win to the podium to stop a tax increase. That is the one positive. Members of the Senate, I am proud to put in the nomination for the office of the PRESIDENT *Pro Tempore* of the South Carolina Senate, the Senator from Slabtown, I mean Anderson, KEVIN L. BRYANT.

Remarks by Senator MALLOY

Thank you, Mr. PRESIDENT, members of the Senate. It is my honor to second the nomination. Our dear friend, the former PRESIDENT *Pro Tempore*, former Lieutenant Governor and the current President of the College of Charleston, Glenn McConnell, had a nickname that he gave the Senator from Anderson with the utmost affection. The nickname that he bestowed on Senator BRYANT was the "moderate voice of the radical right." It is that voice that I rise to nominate as our PRESIDENT *Pro Tempore* and our next Lieutenant Governor, and to say good-bye to a voice that this Body will dearly miss.

Although we are from different parties, Senator BRYANT never saw an impediment to working together. He always understood, as some regrettably do not, that no matter what label we have when we get to Columbia, that when we arrive here, when we are on this floor and in this Senate Chamber and when we act, that we play for the same team -- that team is the State of South Carolina. He always wanted that team to win.

It is with that mindset that Senator BRYANT governed. He worked to make South Carolina the best State that he thought it could be. He introduced and fought for legislation that his values and philosophy taught him was best. But along the way, he would listen to the other side and take suggestions to improve his Bills. When he felt it was necessary, he would hold the line -- a hard line -- but he would always find ways to compromise but never surrender his principles or what he believed in. He understood that sometimes a grand compromise was better than a

TUESDAY, JANUARY 31, 2017

glorious defeat. That is why he was able to achieve victories when no one believed that victory was possible. It was because of these traits that he went from simply being a member of this Body to being a statesman within this Body.

I have great memories of Senator BRYANT on a personal side during one of our darkest hours. When we lost our brother Clementa Pinckney, I got countless text messages from Senator BRYANT. He told me, "Ann can't stop crying for those children." He talked about grace. He talked about forgiveness, wisdom, humility and reconciliation and he followed through.

Back in November, he called me and said, "You know, I'm going to work on something with race reconciliation. Would you come to Anderson?" So I went to Anderson and we sat there in a room and took questions and talked. We went back in and had pizza. Then Mrs. Bryant called us and gave us breakfast. Mrs. Bryant and Mr. Bryant, thank you for having us in your home.

He talked about what he wanted South Carolina to end up being. It was difficult for him during that time because Senator BRYANT didn't just honor what the polls said in his district. It was during that time that the Confederate flag came down. His poll numbers said one thing. His heart said another. It was a place in time. So we have some personal things that we have gone over.

Senator BRYANT is a force to be reckoned with. May the force be with you. We have this thing also -- many people ask, "How do you get along with Senator MALLOY?" We have a package deal. "Truth is better than harmony and I don't need anyone to tell me yes. I need everyone to tell me the truth." When he says that, he finishes with a "chitty chitty bang bang." So I have no reservation in nominating Senator BRYANT to preside over this Body because I know that while his political ideology points him to the right, that his moral compass is firmly centered on doing what is right.

He will act competently, fairly and with the goal of doing what is best for our State and that is all that we could hope for. I will miss Senator BRYANT and he will leave big shoes to fill. It will be his leaving and the legacy of his accomplishments that will hopefully set the example for someone to emulate. If there could be a silver lining to losing Senator BRYANT, it would be that his loss will lead to the rise of three or four other Senators who agree to pick up the mantle of his service that he leaves behind and agree to shepherd that example to the next generation of elected officials. As we know, "Even the son of man did not come

TUESDAY, JANUARY 31, 2017

here to be served, but came to serve. He gave his life for ransom for many." Senator BRYANT has given up part of his life for public service.

With that in mind and on the heels of those who came before him, I humbly put into nomination as the next PRESIDENT *Pro Tempore* of the Senate and our next Lieutenant Governor, my friend, Senator KEVIN BRYANT. Thank you.

Remarks by Senator RANKIN

Thank you, Mr. PRESIDENT. Ladies and gentlemen of the Senate, we meet today under circumstances that are not only unusual, but are historically unprecedented as well. We all know from the most recent events that we have national attention now, and I daresay international attention, with the ascension of Governor Nikki Haley, who has been chosen and confirmed as the American Ambassador to the United Nations. I'm sure we all congratulate her and wish her Godspeed in her service and that she bear graciously and aptly our State as she conducts her duties. Some have wished her ascension and vote a little quicker speed; as in the lyrics from the song "Someone to watch over me" another line goes "and to put on some speed." If you all were waiting with us last night in the lobby, it was a little more than a gentle lyric being muttered about, "What is taking so long?" Nonetheless, the paper was signed, the Senate had voted and she resigned, elevating our friend the former Lieutenant Governor to become our Governor. Again, we celebrate that as well.

We also know that with the beginning of the 2018 General Election, all nominees for Governor will select their own Lieutenant Governors to run together as a ticket. That changes how we select the Lieutenant Governor; that change was made by the voters of South Carolina. Therefore, the term of the current Lieutenant Governor, Lieutenant Governor Bryant who has just been elevated to the post, will expire in less than two years, never to be independently elected again.

With that unique set of facts in mind, let's also remember how we got to where we are today, that last year in December Senator LEATHERMAN publicly announced that he would not serve as Lieutenant Governor, making no mistake about what his intentions were at that point. As a courtesy and in the interest of full transparency, he made that announcement before we elected him as our PRESIDENT *Pro Tempore*. Make no mistake, nothing was hidden. Everyone knew what his intentions were at that time. No surprises. We knew that when we picked him as our PRESIDENT *Pro Tempore*, he would not serve as

TUESDAY, JANUARY 31, 2017

Lieutenant Governor. Again, we knew why. Why? Why did he do as others have done before him that is not unprecedeted in this State? We all have recently finished an election cycle that placed him in the public view and the decision of the folks who would re-elect him to serve -- and they had enough votes to do it. His pledge was to those folks who elected him to remain as their Senator, not our PRESIDENT *Pro Tempore*. As their Senator, he would remain in a position of power, influence, and ability to do what? To do for them as each of your constituents have asked you to do. To look out for and to represent them as the Constitution requires and as the good Lord requires. Our seniority system, which we recently reaffirmed, not only allows this, but encourages this. That the seniority that he had achieved prior to our rules adoption would allow him to continue to do what? Serve as Chairman of the Finance Committee.

Some have taken issue with that, that that is too much power and that too much power should not rest in the hands of one. So now there is some criticism, which he knew he would get -- and many of you have heard. Some outside groups are "robo" calling now, and I am getting notes from folks I don't know, but bearing names of interest groups that I've never seen lobby for a position like this. They take him to task for that. It took courage for him to not only resign then, but now to again resign, allowing the baton to be passed to someone who wants the position, as again Lieutenant Governor Bryant did. But also you realize that the decision is not a compulsory decision to do as Senator BRYANT did, it is a voluntary right. And so you've heard -- there is an attorney who has written an opinion. You all had this -- former Fourth Circuit Court Chief of Appeals asked by our Senate Clerk to weigh in on the question. What does the law require in this instance? Do you have to naturally ascend to the position? No. We all know that you don't. Neither statute, nor Constitution, nor rule of the Senate requires you to seek the office, and nothing prohibits you from resigning to avoid taking the Lieutenant Governor's position. Nothing in the rule of law, statute, Constitution or rule of the Senate prohibits you from seeking that election yourself.

So we had that election, and we heard great remarks made on behalf of Senator LEATHERMAN as to why we should not change it back and the requirements and the talents that are required. Three "P's" caught my attention: present, prepared, and patient. So Senator LEATHERMAN's name was placed in nomination and we re-elected him, again with full disclosure, knowing full well that once this bridge was come to, it

TUESDAY, JANUARY 31, 2017

therefore would have to be crossed, that he would not take the position and relinquish the PRESIDENT *Pro Tempore* role. Some say courage, as I mentioned before. I daresay the folks of Florence County in the Pee Dee would call that honorable and principled, to do for them what he asked them to do for him: to re-elect him and continue him in the position of Finance Committee Chairman.

There are a number of us, and I daresay there will be a majority of us, who support and recognize the service that Senator LEATHERMAN has made. The public service, the selflessness to give of his time, to lead this State, to do for us what has been so well accomplished, though with scraps and scrapes and battles with others, to bring this State the recognition that it has so greatly achieved in economic development. Y'all heard me say last time when I spoke from the well in his support in making that nomination, not words that are my opinion, but words from those in the industry who would tell you that the former Governor, two removed, Governor Sanford, was involved with bringing Boeing here. But Boeing is not here because of former Governor Sanford. Boeing is here because of the negotiation skills, the presence, the preparedness, and the patience of Senator HUGH LEATHERMAN. Those aren't my words. That's Boeing who tells you that.

And that's some time back, some would say, "Well, that's history. Let's talk about current days." I dare say that Bobby Hitt would say the same today of his stewardship of this Senate and his stewardship of this State in terms of making things happen, not just for one part of the State but the entire State. The entire State who benefits from an unemployment rate that is as low as we've ever heard, that then Governor Haley, former Governor Haley, announced last night. That's not a mistake folks. That's not an accident. So our "quarterback" has worked well. Now again, I don't -- and I hope the majority of you don't either -- want to see this career ended, to ascend to a position that would not allow the folks of his area, and the trust that they have placed in him, to be honored. Because of these unprecedented developments, a technicality on the implementation of the day when the Governor could start selecting his second in command, and the machinations we have seen -- some would dare say the windmills that we've tilted at -- and that the Supreme Court has clearly said, as a fact, the process is in place. The process works: a natural succession, that we have seen today, has occurred and will occur.

I am proud -- I am honored to have been asked and willingly accepted, not telling you what you've never heard before and you don't know, but to mirror and to honor the words that we just heard from our now

TUESDAY, JANUARY 31, 2017

Lieutenant Governor. Senator LEATHERMAN, if anything, is a fair man. The Senate and this State has prospered by his leadership and his role as PRESIDENT *Pro Tempore*. Therefore, I move that his name be placed in nomination.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 4741

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-3-100, 50-9-650, 50-11-10, 50-11-65, 50-11-96, 50-11-105, 50-11-310, 50-11-315, 50-11-320, 50-11-350, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-520, 50-11-525, 50-11-530, 50-11-580, 50-11-854, 50-11-2200 and 50-11-2210

SUBJECT: Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas

Received by Lieutenant Governor January 26, 2017

Referred to Fish, Game and Forestry Committee

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 4704

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-29-150 through 44-29-170

SUBJECT: The Evaluation of School Employees for Tuberculosis

Received by Lieutenant Governor January 10, 2017

Referred to Medical Affairs Committee

Withdrawn and Resubmitted January 30, 2017

Legislative Review Expiration May 10, 2017

Document No. 4706

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-2-10 et seq.

SUBJECT: Underground Storage Tank Control Regulations

Received by Lieutenant Governor January 10, 2017

TUESDAY, JANUARY 31, 2017

Referred to Medical Affairs Committee
Withdrawn and Resubmitted January 30, 2017
Legislative Review Expiration May 10, 2017

Leave of Absence

On motion of Senator MARTIN, at 2:03 P.M., Senator MALLOY was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

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

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| S. 7 | Sen. McLeod |
| S. 46 | Sen. Bennett |
| S. 54 | Sen. Johnson |
| S. 86 | Sen. Young |
| S. 115 | Sen. Hutto |
| S. 170 | Sen. Hutto |
| S. 182 | Sen. Gregory |
| S. 217 | Sens. Martin, Corbin |
| S. 218 | Sens. Rice, Gregory, Corbin |
| S. 219 | Sen. McLeod |
| S. 263 | Sens. Turner, Corbin |
| S. 311 | Sen. McLeod |

RECALLED AND ADOPTED

H. 3574 -- Reps. J.E. Smith, Bales, Ballentine, Bernstein, Douglas, Finlay, Hart, Howard, McEachern, Neal, Rutherford, Thigpen, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bamberg, Bannister, Bedingfield, Bennett, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Duckworth, Elliott, Erickson, Felder, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McKnight, Mitchell, D.C. Moss, V.S. Moss, Murphy, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Weeks, West,

TUESDAY, JANUARY 31, 2017

Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE TRADITION OF HARBISON INSTITUTE AND HARBISON JUNIOR COLLEGE IN PROVIDING OPEN-DOOR ACCESS TO HIGHER EDUCATION FOR DIVERSE STUDENTS FROM ALL BACKGROUNDS AND SOCIO-ECONOMIC CIRCUMSTANCES AND TO DECLARE WEDNESDAY, FEBRUARY 22, 2017, AS "HARBISON HISTORY DAY" IN SOUTH CAROLINA.

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

The Concurrent Resolution was recalled from the Committee on Education.

Senator COURSON asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Concurrent Resolution. The question then was the adoption of the Concurrent Resolution.

On motion of Senator COURSON, the Concurrent Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 320 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE DR. JAMES E. WISEMAN ON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS TWENTY-FIVE YEARS OF OUTSTANDING LEADERSHIP TO THE NEWBERRY OPERA HOUSE FOUNDATION, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

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

S. 321 -- Senator Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 14 TO TITLE 56 SO AS TO ESTABLISH PROCEDURES THAT REGULATE THE RELATIONSHIP BETWEEN RECREATIONAL

TUESDAY, JANUARY 31, 2017

VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS OF RECREATIONAL VEHICLES; TO AMEND SECTION 56-15-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTOR VEHICLE" AND TO DELETE THE TERM "MOTOR HOME" AND ITS DEFINITION; TO REPEAL ARTICLE 5, CHAPTER 17, TITLE 31 RELATING TO THE SALE OF TRAVEL TRAILERS; AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY PROMULGATE REGULATIONS FOR ENFORCEMENT OF THE PROVISIONS OF CHAPTER 14, TITLE 56.

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

S. 322 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW; TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM; TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY; AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

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

TUESDAY, JANUARY 31, 2017

S. 323 -- Senators Campbell, Turner, Talley, Bennett, Climer, Nicholson, Cromer, Reese, Grooms, Hembree, Verdin, Massey, Alexander, Williams, Johnson, Gambrell, Sabb, Young, Shealy and Scott: A BILL TO AMEND TITLE 31 OF THE 1976 CODE, RELATING TO HOUSING AND REDEVELOPMENT, BY ADDING CHAPTER 24, TO PROVIDE THAT MANUFACTURING AND INDUSTRIAL FACILITIES SHALL NOT BE ELIGIBLE FOR NUISANCE SUITS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 324 -- Senators Peeler, Hutto and McElveen: A BILL TO AMEND SECTION 23-31-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS ALLOWED TO CARRY A CONCEALABLE WEAPON WHILE ON DUTY, SO AS TO INCLUDE PERSONS WHO ARE RETIRED FROM CERTAIN OFFICES AND CLERKS OF COURT IN THE PURVIEW OF THE STATUTE.

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

S. 325 -- Senator Sheheen: A BILL TO AMEND SECTION 43-33-350 OF THE 1976 CODE, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA PROTECTION AND ADVOCACY SYSTEM FOR THE HANDICAPPED, TO PROVIDE THAT PROTECTION AND ADVOCACY FOR PEOPLE WITH DISABILITIES, INC., FORMERLY KNOWN AS THE SOUTH CAROLINA PROTECTION AND ADVOCACY SYSTEM FOR THE HANDICAPPED, SHALL ADMINISTER THE CLIENT ASSISTANCE PROGRAM; TO REPEAL SECTION 1-11-10(A)(9); AND TO PROVIDE FOR THE TRANSITION OF THE PROGRAM'S ADMINISTRATION FROM THE DEPARTMENT OF ADMINISTRATION.

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

S. 326 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION,

TUESDAY, JANUARY 31, 2017

RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4711, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 327 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF BARBER EXAMINERS, RELATING TO BARBERSHOP REQUIREMENTS; APPLICATIONS FOR INSPECTION AND REGISTRATION AND SHOP LICENSE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4713, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 328 -- Senator Setzler: A SENATE RESOLUTION TO PROCLAIM TUESDAY, MARCH 23, 2017, AS "SC PROFESSIONAL LAND SURVEYORS DAY" IN SOUTH CAROLINA AND TO RECOGNIZE THE IMPORTANCE OF THE SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS.

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The Senate Resolution was adopted.

S. 329 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LAVINIA THOMPSON, AN AFRICAN AMERICAN FEMALE CONFEDERATE VETERAN.

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The Senate Resolution was adopted.

S. 330 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-10-108 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH PROFESSIONAL EMPLOYER ORGANIZATIONS MAY BE ELIGIBLE FOR CERTAIN TAX CREDITS AND ECONOMIC

TUESDAY, JANUARY 31, 2017

INCENTIVES UNDER THE ENTERPRISE ZONE ACT OF 1995; BY ADDING SECTION 40-68-145 SO AS TO PROVIDE FOR THE DETERMINATION OF TAX CREDITS AND ECONOMIC INCENTIVES BASED ON EMPLOYMENT WITH RESPECT TO CLIENT COMPANIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS; TO AMEND SECTION 40-68-55, RELATING TO THE ABILITY OF THE DEPARTMENT OF INSURANCE TO PROVIDE BY REGULATION FOR THE ACCEPTANCE OF AFFIDAVIT OR CERTIFICATION OF APPROVAL OF QUALIFIED ASSURANCE ORGANIZATIONS, SO AS TO DELETE THE REQUIREMENT THAT THESE FUNCTIONS BE PROVIDED BY REGULATION; TO AMEND SECTION 40-68-60, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND ASSIGNED EMPLOYEES, SO AS TO PROVIDE ORGANIZATIONS SHALL PROVIDE ASSIGNED EMPLOYEES WITH CERTAIN WRITTEN NOTICE OF HOW THE AGREEMENT AFFECTS THEM; TO AMEND SECTION 40-68-70, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND CLIENT COMPANIES, SO AS TO PROVIDE THAT THE TERMS OF THE AGREEMENT MUST BE ESTABLISHED BY WRITTEN CONTRACT; AND TO AMEND SECTION 40-68-150, RELATING TO CERTAIN PROHIBITED ACTS, SO AS TO PROVIDE PROFESSIONAL EMPLOYER ORGANIZATIONS SHALL NOT ENGAGE IN THE SALE OF INSURANCE OR ACT AS THIRD PARTY ADMINISTRATORS, AND TO PROVIDE THAT THE SPONSORING AND MAINTAINING OF EMPLOYEE BENEFIT PLANS FOR THE BENEFIT OF ASSIGNED EMPLOYEES DOES NOT CONSTITUTE THE SALE OF INSURANCE.

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

S. 331 -- Senators Gambrell and Nicholson: A SENATE RESOLUTION TO CONGRATULATE THE ABBEVILLE HIGH SCHOOL VARSITY FOOTBALL TEAM, SCHOOL OFFICIALS, AND COACHES AND TO CELEBRATE THEIR WIN OF THE 2016 CLASS AA STATE CHAMPIONSHIP TITLE.

TUESDAY, JANUARY 31, 2017

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The Senate Resolution was adopted.

S. 332 -- Senator Goldfinch: A SENATE RESOLUTION TO HONOR THE AMERICAN REVOLUTION MUSEUM AT YORKTOWN, VIRGINIA, UPON ITS GRAND OPENING AND TO COMMEND ITS EFFORTS TO EDUCATE CHILDREN AND ADULTS THROUGH INTERACTIVE EXHIBITIONS.

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The Senate Resolution was adopted.

S. 333 -- Senator M. B. Matthews: A SENATE RESOLUTION TO DECLARE WEDNESDAY, FEBRUARY 1, 2017, AS "CITIES MEAN BUSINESS DAY" TO RECOGNIZE AND HONOR THE VALUABLE CONTRIBUTIONS SOUTH CAROLINA CITIES AND TOWNS MAKE TO OUR STATE'S ECONOMIC PROSPERITY THROUGH THEIR RELATIONSHIP WITH LOCAL BUSINESSES.

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The Senate Resolution was adopted.

S. 334 -- Senator Senn: A BILL TO AMEND SECTIONS 61-4-515 AND 61-6-2016 OF THE 1976 CODE, RELATING TO PERMITS TO PURCHASE AND SELL BEER AND WINE FOR ON-PREMISES CONSUMPTION AND A BIENNIAL LICENSE TO PURCHASE ALCOHOLIC LIQUORS BY THE DRINK AT A MOTORSPOORTS ENTERTAINMENT COMPLEX OR TENNIS SPECIFIC COMPLEX, TO INCLUDE BASEBALL COMPLEX, AND TO PROVIDE A DEFINITION FOR "BASEBALL COMPLEX".

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

H. 3237 -- Reps. Allison, Felder and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 57-1-460 AND 57-1-470 RELATING TO THE SECRETARY OF TRANSPORTATION'S DUTY TO EVALUATE AND APPROVE ROUTING OPERATION AND MAINTENANCE REQUESTS OR EMERGENCY REPAIRS FOR HIGHWAY FACILITIES THAT ARE NOT INCLUDED IN THE STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM, AND THE DEPARTMENT OF TRANSPORTATION

TUESDAY, JANUARY 31, 2017

COMMISSION'S DUTY TO REVIEW THE SECRETARY OF TRANSPORTATION'S REPORT THAT CONTAINS ROUTINE MAINTENANCE AND EMERGENCY REPAIR REQUESTS.

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

H. 3406 -- Rep. G. M. Smith: A BILL TO AMEND ACT 95 OF 2013, RELATING TO THE MAINTENANCE TAX IMPOSED BY THE WORKERS' COMPENSATION COMMISSION ON SELF INSURERS, SO AS TO DELETE AN UNCODIFIED PROVISION THAT TERMINATES THE ACT FIVE YEARS AFTER ITS EFFECTIVE DATE.

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

H. 3441 -- Rep. Gagnon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 42-9-450 SO AS TO PROVIDE THE PAYMENTS OF WORKERS' COMPENSATION BY EMPLOYERS' REPRESENTATIVES MUST BE MADE BY CHECK OR DIRECT DEPOSIT.

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

H. 3488 -- Reps. Sandifer and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 55, TITLE 38 SO AS TO ALLOW AN INSURER TO DELIVER, STORE, OR PRESENT EVIDENCE OF INSURANCE COVERAGE BY ELECTRONIC MEANS, TO ESTABLISH CERTAIN CONDITIONS THAT MUST BE MET BEFORE A NOTICE OR DOCUMENT MAY BE DELIVERED BY ELECTRONIC MEANS, TO REQUIRE THE PARTY TO VERIFY OR ACKNOWLEDGE RECEIPT OF THE ELECTRONICALLY DELIVERED NOTICE OR DOCUMENT IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A WITHDRAWAL OF CONSENT DOES NOT AFFECT THE LEGAL EFFECTIVENESS, VALIDITY, OR ENFORCEABILITY OF THE NOTICE OR DOCUMENT, TO REQUIRE AN INSURER TO NOTIFY THE PARTY OF CERTAIN PRIVILEGES BEFORE SENDING ADDITIONAL NOTICES OR DOCUMENTS SUBJECT TO CONSENT TO RECEIVE CERTAIN NOTICES OR DOCUMENTS, TO ALLOW FOR A PARTY TO ELECTRONICALLY SIGN ELECTRONICALLY DELIVERED DOCUMENTS, TO PROTECT A PRODUCER FROM CIVIL LIABILITY FOR ANY HARM OR

TUESDAY, JANUARY 31, 2017

INJURY THAT OCCURS AS A RESULT OF A PARTY'S ELECTION TO RECEIVE A NOTICE OR DOCUMENT BY ELECTRONIC MEANS, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

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

H. 3582 -- Reps. Anderson and Hewitt: A BILL TO AMEND SECTION 7-7-270, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GEORGETOWN COUNTY, SO AS TO RENAME FOUR PRECINCTS, AND REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

H. 3608 -- Reps. White, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF CRYSTAL JADE DUNBAR, ECONOMIST AND PROGRAM COORDINATOR II WITH THE BOARD OF ECONOMIC ADVISORS OF THE SOUTH CAROLINA REVENUE

TUESDAY, JANUARY 31, 2017

AND FISCAL AFFAIRS OFFICE, TO CELEBRATE HER LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

Senator LEATHERMAN spoke on the Concurrent Resolution.

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

H. 3613 -- Reps. Huggins, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR REVEREND WILLIAM PAUL "BILL" DIECKMANN, DIRECTOR OF MISSIONS FOR THE COLUMBIA METRO BAPTIST ASSOCIATION, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-EIGHT YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

REPORTS OF STANDING COMMITTEE

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 46 -- Senators Campsen and Bennett: A BILL TO AMEND SECTION 12-6-520, CODE OF LAWS OF SOUTH CAROLINA, 1976,

TUESDAY, JANUARY 31, 2017

RELATING TO INFLATION ADJUSTMENTS TO STATE INDIVIDUAL INCOME TAX BRACKETS, SO AS TO ENACT THE "TAXPAYER INFLATION PROTECTION ACT", TO DELETE THE PROVISION LIMITING THE INFLATION ADJUSTMENT TO ONE-HALF OF THE ACTUAL INFLATION RATE AND THE OVERALL FOUR PERCENT LIMIT ON THE TOTAL INFLATION ADJUSTMENT, AND TO DELETE REDUNDANT LANGUAGE.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 61 -- Senator Hutto: A BILL TO AMEND SECTION 1-11-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR PARTICIPATION IN THE STATE HEALTH PLAN, SO AS TO ALLOW EMPLOYEES AND RETIREES, AND THEIR DEPENDENTS, OF ANY POLITICAL SUBDIVISION OF THE STATE TO PARTICIPATE IN THE STATE HEALTH PLAN.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 75 -- Senator Young: A BILL TO AMEND SECTION 12-43-220(c)(2) OF THE 1976 CODE, RELATING TO PROGRAMS AND UNIFORM ASSESSMENT RATIOS FOR COUNTY EQUALIZATION AND REASSESSMENT, TO PROVIDE THAT AN OWNER ELIGIBLE FOR AND RECEIVING THE SPECIAL ASSESSMENT PURSUANT TO SECTION 12-43-220(c) WHO IS RESIDING AT A NURSING HOME RETAINS THE SPECIAL ASSESSMENT RATIO OF FOUR PERCENT FOR AS LONG AS THE OWNER REMAINS IN THE NURSING HOME.

Ordered for consideration tomorrow.

INVITATIONS ACCEPTED

On motion of Senator DAVIS, with unanimous consent, the following invitations were polled favorably from the Committee on Invitations and ordered placed on the Calendar:

Wednesday February 1, 2017 - 8:00am-10:00am
Members and Staff, Breakfast, Room 112, Blatt Building, by the
SOUTH CAROLINA COMMISSION FOR THE BLIND

TUESDAY, JANUARY 31, 2017

Wednesday, February 1, 2017 - 11:30am-1:30pm

Members of the Senate, Luncheon, Room 112, Blatt Building, by the
**SOUTH CAROLINA CONSORTIUM FOR GIFTED
EDUCATION**

Wednesday, February 1, 2017 - 5:30pm-7:00pm

Members of the Senate, Reception, the Marriott, by the **MUNICIPAL
ASSOCIATION OF SOUTH CAROLINA**

Thursday, February 2, 2017 - 8:00am-10:00am

Members and Staff, Breakfast, Room 112, Blatt Building, by the
SCAWWA WATER UTILITY COUNCIL

Tuesday, February 7, 2017 - 12:00pm-2:00pm

Members of the Senate, Luncheon, the Capital City Club, by the
SOUTH CAROLINA ARTS ALLIANCE

Tuesday, February 7, 2017 - 6:00pm-8:00pm

Members and Staff, Reception, SC State Farmers' Market, West
Columbia, by the **DEPARTMENT OF NATURAL RESOURCES**

Tuesday, February 7, 2017 - 7:00pm-9:00pm

Members and Staff, Reception, the Palmetto Club, by the **SOUTH
CAROLINA FUNERAL DIRECTORS ASSOCIATION**

Wednesday, February 8, 2017 - 8:00am-10:00am

Members and Staff, Breakfast, Room 112, Blatt Building, by **AARP**

Wednesday, February 8, 2017 - 12:00pm-2:00pm

Members of the Senate, Luncheon, Room 112, Blatt Building, by the **SC
ASSOCIATION FOR COMMUNITY ECONOMIC
DEVELOPMENT**

Wednesday, February 8, 2017 - 6:00pm-8:00pm

Members and Staff, Reception, the Palmetto Club, by the **COLLEGE
OF CHARLESTON**

Thursday, February 9, 2017 - 8:00am-10:00am

Members and Staff, Breakfast, Room 112, Blatt Building, by **STATE
FARM INSURANCE COMPANIES**

TUESDAY, JANUARY 31, 2017

Wednesday, February 15, 2017 - 8:00am-10:00am

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **SC GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS**

Wednesday, February 15, 2017 - 12:00pm-2:00pm

Members and Staff, Luncheon, Room 112, Blatt Building, by the **UNITED WAY ASSOCIATION OF SOUTH CAROLINA**

Wednesday, February 15, 2017 - 5:30pm-7:30pm

Members of the Senate, Reception, Embassy Suites, by the **SOUTH CAROLINA ASSOCIATION OF COUNTIES**

Thursday, February 16, 2017 - 8:00am-10:00am

Members and Staff, Breakfast, Room 112, Blatt Building, by the **CAROLINA SPEECH, LANGUAGE, AND HEARING ASSOCIATION**

Tuesday, February 21, 2017 - 6:00pm-9:00pm

Members of the Senate, Reception, the Double Tree Hotel, by the **SOUTH CAROLINA ASSOCIATION OF CONSERVATION DISTRICTS**

Tuesday, February 21, 2017 - 7:00pm-9:00pm

Members and Staff, Reception, the Palmetto Club, by the **SOUTH CAROLINA STATE ALUMNI ASSOCIATION**

Tuesday, February 21, 2017 - 5:30pm-7:30pm

Members and Staff, Reception, the Capital City Club, by the **ASSOCIATED BUILDERS AND CONTRACTORS OF THE CAROLINAS**

Wednesday, February 22, 2017 - 8:00am-10:00am

Members and Staff, Breakfast, Room 112, Blatt Building, by the **SOUTH CAROLINA ASSOCIATION OF HABITAT AFFILIATES**

Wednesday, February 22, 2017 - 12:00pm-2:00pm

Members of the Senate, Luncheon, Room 112, Blatt Building, by the **WIL LOU GRAY OPPORTUNITY SCHOOL**

TUESDAY, JANUARY 31, 2017

Wednesday, February 22, 2017 - 6:00pm-8:00pm

Members and Staff, Reception, the Columbia Museum of Art, by the
COLUMBIA MUSEUM OF ART/CITY OF COLUMBIA

Wednesday, February 22, 2017 - 7:00pm-9:00pm

Members and Staff, Reception, the Palmetto Club, by the **WINE AND SPIRITS WHOLESALERS OF SC**

Thursday, February 23, 2017 - 8:00am-10:00am

Members of the Senate, Breakfast, Room 112, Blatt Building, by **AAA CAROLINAS**

Tuesday, February 28, 2017 - 6:00pm-8:00pm

Members and Staff, Reception, Hall at Senate's End, by the **CLEMSON UNIVERSITY FOUNDATION**

Poll of the Invitations Committee

Polled 11; Ayes 11; Nays 0; Not Voting 0

AYES

| | | |
|---------|-----------|---------|
| Davis | Alexander | Reese |
| Campsen | Cromer | Malloy |
| Johnson | Nicholson | Hembree |
| Young | Goldfinch | |

Total--11

NAYS

Total--0

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 319 -- Senator Courson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CHIEF ROBERT O. "BERT" POLK OF RICHLAND COUNTY, STATE FIRE MARSHAL WITH THE SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION, UPON THE OCCASION OF HIS RETIREMENT, TO THANK HIM FOR HIS MANY YEARS OF OUTSTANDING

TUESDAY, JANUARY 31, 2017

SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

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

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3462 -- Reps. Kirby, Jordan, Williams, Alexander and Lowe: A BILL TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE, SO AS TO EXTEND THE TERMS OF THE MEMBERS OF THE BOARD OF TRUSTEES OF FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE TO FOUR YEARS, TO STAGGER THE TERMS OF THE MEMBERS, TO REQUIRE THAT THE MEMBERS BE ELECTED AT A GENERAL ELECTION HELD IN AN EVEN-NUMBERED YEAR, AND TO PROVIDE THE PROCESS BY WHICH A VACANCY IS FILLED.

**AMENDED, READ THE THIRD TIME
SENT TO HOUSE**

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

S. 67 -- Senator Hutto: A BILL TO AMEND SECTION 12-10-88, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REDEVELOPMENT FEES, SO AS TO SPECIFY TO WHOM REDEVELOPMENT FEES MAY BE REMITTED; TO AMEND SECTION 31-12-30, RELATING TO DEFINITIONS FOR PURPOSES OF THE REDEVELOPMENT OF CERTAIN FEDERAL INSTALLATIONS, SO AS TO DEFINE "REDEVELOPMENT PROJECT"; AND BY ADDING SECTION 31-12-70 SO AS TO AUTHORIZE A REDEVELOPMENT AUTHORITY TO USE REDEVELOPMENT FEES ON CERTAIN OPERATING COSTS.

S. 58 -- Senators J. Matthews, Hutto, Johnson, Malloy, M.B. Matthews and Williams: A BILL TO AMEND THE CODE OF

TUESDAY, JANUARY 31, 2017

LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "PORT ENHANCEMENT ZONE ACT"; TO AMEND SECTION 12-6-3360, AS AMENDED, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3367, RELATING TO THE MORATORIUM ON CERTAIN TAXES FOR CERTAIN TAXPAYERS, SO AS TO EXTEND THE MORATORIUM TO TAXPAYERS CREATING AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3375, AS AMENDED, RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM EIGHT MILLION TO NINE MILLION DOLLARS AND TO PROVIDE THAT ONE MILLION DOLLARS MAY BE AWARDED TO A NEW WAREHOUSE OR DISTRIBUTION FACILITY THAT MEETS CERTAIN REQUIREMENTS AND EMPLOYS AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-10-80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS, SO AS TO ALLOW EIGHTY-FIVE PERCENT OF THE MAXIMUM CREDIT TO BE CLAIMED BY BUSINESSES LOCATED IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-14-60, RELATING TO THE INVESTMENT TAX CREDIT, SO AS TO DOUBLE THE AMOUNT OF THE CREDIT FOR ANY QUALIFIED MANUFACTURING AND PRODUCTIVE EQUIPMENT PROPERTY LOCATED IN A PORT ENHANCEMENT ZONE; AND TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXTEND THE EXEMPTION FOR MATERIALS HANDLING TO A TAXPAYER THAT INVESTS AT LEAST TWENTY MILLION DOLLARS IN A PORT ENHANCEMENT ZONE, AND TO EXTEND THE EXEMPTION FOR CONSTRUCTION MATERIALS TO A TAXPAYER THAT INVESTS AT LEAST FORTY MILLION DOLLARS, IN REAL AND PERSONAL PROPERTY, IN A PORT ENHANCEMENT ZONE.

S. 197 -- Senator Hembree: A BILL TO AMEND VARIOUS SECTIONS OF CHAPTERS 1 AND 2 OF TITLE 56, RELATING TO THE OPERATION OF A MOPED, TO REVISE THE FORM OF LICENSURE A PERSON MUST POSSESS TO OPERATE A MOPED, TO REVISE THE AGE OF A PERSON WHO MAY OBTAIN A

TUESDAY, JANUARY 31, 2017

MOPED OPERATOR'S LICENSE, TO REVISE THE TIME PERIOD WHEN CERTAIN PERSONS MAY OPERATE A MOPED, TO REVISE THE PENALTIES FOR A VIOLATION OF THIS PROVISION, AND TO DELETE THE PROVISION THAT PROHIBITS THE DEPARTMENT OF MOTOR VEHICLES FROM ISSUING A BEGINNER'S PERMIT OR A SPECIAL RESTRICTED LICENSE TO CERTAIN PERSONS CONVICTED OF A MOPED VIOLATION FOR A CERTAIN PERIOD OF TIME; TO PROVIDE FOR THE REGISTRATION, TITLING, AND LICENSING OF MOPEDS, TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ARTICLE, TO REGULATE THE OPERATION OF A MOPED, AND TO REGULATE THE SALE OF A MOPED; AND FOR OTHER RELATED PURPOSES.

(Abbreviated Title)

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 250 -- Senators Leatherman, Setzler and Alexander: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2016 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 198 -- Senators Shealy, Alexander, McElveen and Bryant: A BILL TO AMEND SECTION 56-1-100 OF THE 1976 CODE, RELATING TO DRIVERS' LICENSES, TO PROVIDE THAT A MINOR MAY APPLY FOR A BEGINNER'S PERMIT, INSTRUCTION PERMIT, OR DRIVER'S LICENSE UNDER THE AUTHORIZATION OF A RESPONSIBLE ADULT WILLING TO ASSUME THE OBLIGATION IMPOSED.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (198R003.DR.LKG), which was adopted:

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

/ SECTION 1. Section 56-1-100 of the 1976 Code is amended to read:

“Section 56-1-100. (A) The application of an unemancipated minor for a beginner’s permit, instruction permit, or driver’s license must be signed ~~and verified before a person authorized to administer oaths by the father, mother, or guardian, or, for all other minors, by a responsible adult who is willing to assume the obligation imposed under this article upon a person signing the application of a minor. Upon the extension of a permit pursuant to Section 56-1-50, authorization by the father, mother, guardian, or a responsible adult is not required. in the presence of a South Carolina Department of Motor Vehicles employee at the time of application by:~~

(1) the father of the minor;
(2) the mother of the minor;
(3) the stepparent of the minor;
(4) the guardian of the minor;
(5) an individual who has custody, care, and control of a minor;
(6) any person set forth in sub section (C)(3), below, with written approval by the Department of Social Services;

(7) any person who has been standing in loco parentis of a minor for a continuous period of not less than sixty days; or

(8) any responsible adult who is willing to assume the obligation imposed under this article and who has written permission, from a person listed in items (1-7) above, signed and verified before a person authorized to administer oaths.

(B) The application of an emancipated minor for a beginner’s permit or driver’s license must be signed in the presence of a South Carolina Department of Motor Vehicles employee at the time of application by a responsible adult who is willing to assume the obligation imposed under this article.

(C) If the Department of Social Services has guardianship or legal custody of a minor, the application may be signed by:

(1) the father of the minor;
(2) the mother of the minor; or
(3) the foster parent, pre-adoptive parent, or person responsible for the welfare of a child who resides in a child caring facility or residential

group care home, upon written approval by the Department of Social Services. The disclosure of information by the Department of Social Services to the Department of Motor Vehicles in order to provide approval for the limited purpose of this code section shall not be a violation of Section 63-7-1990 or any other section of the Children's Code governing the dissemination of confidential information. The foster parent, pre-adoptive parent, or person responsible for the welfare of a child who resides in a child caring facility or residential group care home must obtain approval from the Department of Social Services prior to the request for an extension of a permit pursuant to Section 56-1-50.

(D) Except as set forth in sub section (C)(3) above, upon the extension of a permit pursuant to Section 56-1-50, authorization by the person who originally signed the application, under sub sections (A), (B), or (C) above, is not required."

SECTION 2. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explains the committee amendment.

The question then was second reading of the Bill.

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

Ayes 43; Nays 0

AYES

| | | |
|-----------|-----------------------|-------------------------|
| Alexander | Allen | Bennett |
| Campbell | Campsen | Climer |
| Corbin | Courson | Cromer |
| Davis | Fanning | Gambrell |
| Goldfinch | Gregory | Grooms |
| Hembree | Hutto | Johnson |
| Kimpson | Leatherman | Martin |
| Massey | <i>Matthews, John</i> | <i>Matthews, Margie</i> |
| McElveen | McLeod | Nicholson |
| Peeler | Rankin | Reese |
| Rice | Sabb | Scott |
| Senn | Setzler | Shealy |
| Sheheen | Talley | Timmons |
| Turner | Verdin | Williams |

Young

Total--43

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

READ THE SECOND TIME

S. 214 -- Senator Kimpson: A BILL TO AMEND ARTICLE 1, CHAPTER 36, TITLE 12 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA SALES AND USE TAX ACT, BY ADDING SECTION 12-36-71, TO PROVIDE THAT A RETAILER IS PRESUMED TO BE LIABLE FOR THE SALES TAX OR RESPONSIBLE FOR COLLECTING AND REMITTING THE USE TAX IF THE RETAILER ENTERS INTO AN AGREEMENT WITH A RESIDENT OF THIS STATE UNDER WHICH THE RESIDENT, FOR A COMMISSION OR CONSIDERATION, REFERS POTENTIAL CUSTOMERS, WHETHER BY AN INTERNET LINK OR OTHERWISE, TO REQUIRE SUCH RETAILERS TO OBTAIN A RETAIL LICENSE AND REMIT SALES AND USE TAX ON ALL TAXABLE RETAIL SALES, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to a consideration of the Bill.

The question then was second reading of the Bill.

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

Ayes 38; Nays 5

AYES

| | | |
|-------------------------|----------|-----------------------|
| Alexander | Allen | Campbell |
| Corbin | Courson | Cromer |
| Fanning | Gambrell | Goldfinch |
| Gregory | Grooms | Hembree |
| Hutto | Johnson | Kimpson |
| Leatherman | Massey | <i>Matthews, John</i> |
| <i>Matthews, Margie</i> | McElveen | McLeod |
| Nicholson | Peeler | Rankin |
| Reese | Rice | Sabb |
| Scott | Senn | Setzler |
| Shealy | Sheheen | Talley |

TUESDAY, JANUARY 31, 2017

| | | |
|----------|--------|--------|
| Timmons | Turner | Verdin |
| Williams | Young | |

Total-38

| | | |
|---------|-------------|--------|
| | NAYS | |
| Bennett | Campsen | Climer |
| Davis | Martin | |

Total--5

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 176 -- Senator Sheehen: A BILL TO AMEND CHAPTER 1, TITLE 24 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF CORRECTIONS, BY ADDING SECTION 24-1-300, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A DEPARTMENT OF CORRECTIONS FACILITY WITHOUT WRITTEN CONSENT, AND TO PROVIDE PENALTIES FOR THE VIOLATION.

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

ADOPTED

H. 3402 -- Reps. Felder, Allison, Arrington, Bennett, Bernstein, Cobb-Hunter, Crawford, Davis, Dillard, Douglas, Erickson, Funderburk, Henderson, Henegan, Knight, Norrell, Parks, Robinson-Simpson and Thayer: A CONCURRENT RESOLUTION TO DECLARE JANUARY 18, 2017, "SC UNITED IN TEAL & WHITE LOBBY DAY" IN SOUTH CAROLINA AND ENCOURAGE ALL CITIZENS TO BE AWARE OF THE NEED FOR EARLY SCREENING FOR CERVICAL CANCER.

The Resolution was adopted, ordered returned to the House.

TUESDAY, JANUARY 31, 2017

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed to meet tomorrow, Wednesday, February 1, 2017, at 11:40 A.M. for the purpose of attending the Joint Assembly and at the conclusion of the Joint Assembly, the Senate will recede for 45 minutes.

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

MADE SPECIAL ORDER

S. 27 -- Senators Campsen, Young, Hembree and Climer: A BILL TO AMEND SECTION 59-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION OF THE STATE SUPERINTENDENT OF EDUCATION, SO AS TO PROVIDE FOR THE APPOINTMENT OF THE SUPERINTENDENT BY THE GOVERNOR, BY AND WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO PROVIDE FOR THE TERM, QUALIFICATIONS, AND FILLING OF A VACANCY IN THE OFFICE OF SUPERINTENDENT; AND TO REPEAL SECTION 59-3-20 RELATING TO VACANCIES IN THE OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION.

Senator MASSEY moved that the Bill be set for Special Order.

The Bill was made a Special Order.

MADE SPECIAL ORDER

S. 218 -- Senators Massey, Bennett, Alexander, Bryant, Rice, Gregory and Corbin: A BILL TO AMEND CHAPTER 1, TITLE 41 OF THE 1976 CODE, RELATING TO LABOR AND EMPLOYMENT GENERALLY, BY ADDING SECTION 41-1-25, TO PROVIDE THAT A POLITICAL SUBDIVISION OF THIS STATE MAY NOT ESTABLISH, MANDATE, OR OTHERWISE REQUIRE AN EMPLOYEE BENEFIT; AND TO DEFINE NECESSARY TERMS.

Senator MASSEY moved that the Bill be set for Special Order.

The Bill was made a Special Order.

TUESDAY, JANUARY 31, 2017

MOTION ADOPTED

At 2:50 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

CARRIED OVER

S. 27 -- Senators Campsen, Young, Hembree and Climer: A BILL TO AMEND SECTION 59-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION OF THE STATE SUPERINTENDENT OF EDUCATION, SO AS TO PROVIDE FOR THE APPOINTMENT OF THE SUPERINTENDENT BY THE GOVERNOR, BY AND WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO PROVIDE FOR THE TERM, QUALIFICATIONS, AND FILLING OF A VACANCY IN THE OFFICE OF SUPERINTENDENT; AND TO REPEAL SECTION 59-3-20 RELATING TO VACANCIES IN THE OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION.

On motion of Senator MASSEY, with unanimous consent, the Bill was taken up for immediate consideration, the question being the adoption of the committee amendment.

The Committee on Education proposed the following amendment (WAB\27C002.AGM.AB17), which was carried over:

Amend the bill, as and if amended, Section 59-3-10(B)(1), as contained in SECTION 1, page 2, by deleting the item in its entirety and inserting:

/ (1) experience in the field of public education including, but not limited to, service as a classroom teacher, principal, other school or school district administrator, school district superintendent, member of a school board, or other education policy making body at either the state or local level or any combination of them; or /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the committee amendment.

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

TUESDAY, JANUARY 31, 2017

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Maynard Hartwell Miller of Pauline, S.C. Mr. Miller was a U.S. Army Veteran of the Korean War. He retired from the Spartanburg County Sheriff's department after 29 years of service. Maynard owned the Pauline Café from 1974-1990 and was a member of the Fidelis Sunday School class at Philadelphia Baptist Church as well as WOW #28 and VFW Post #9539. Mr. Miller was a grandfather figure to our beloved Senator Shane Martin and taught him how to hunt squirrels, bail hay, garden, cook and work on the farm. He was a loving father, doting grandfather and treasured friend to his community who will be dearly missed.

ADJOURNMENT

At 3:03 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:40 A.M.

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TUESDAY, JANUARY 31, 2017

SENATE JOURNAL INDEX

| | | | |
|-------------|---------------|--------------|-----------|
| S. 27..... | 35, 36 | S. 327..... | 18 |
| S. 46..... | 23 | S. 328..... | 18 |
| S. 58..... | 28 | S. 329..... | 18 |
| S. 61..... | 24 | S. 330..... | 18 |
| S. 67..... | 28 | S. 331..... | 19 |
| S. 75..... | 24 | S. 332..... | 20 |
| S. 176..... | 34 | S. 333..... | 20 |
| S. 197..... | 29 | S. 334..... | 20 |
| S. 198..... | 30 | | |
| S. 214..... | 33 | H. 3237..... | 20 |
| S. 218..... | 35 | H. 3402..... | 34 |
| S. 250..... | 30 | H. 3406..... | 21 |
| S. 319..... | 27 | H. 3441..... | 21 |
| S. 320..... | 15 | H. 3462..... | 28 |
| S. 321..... | 15 | H. 3488..... | 21 |
| S. 322..... | 16 | H. 3574..... | 14 |
| S. 323..... | 17 | H. 3582..... | 22 |
| S. 324..... | 17 | H. 3608..... | 22 |
| S. 325..... | 17 | H. 3613..... | 23 |
| S. 326..... | 17 | | |