

NO. 15

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

WEDNESDAY, FEBRUARY 1, 2017

Wednesday, February 1, 2017
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:40 A.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:

Isaiah.41:10

“So do not fear, for I am with you. Do not be dismayed for I am your God. I will strengthen you.”

Let us pray. Gracious God, you have blessed each person in this Chamber in so many ways but we still seem to be plagued by fear -- fear of an unexpected illness, failing health, a broken relationship, losing a loved one, joblessness and even fear of too many conflicting demands on our time.

Help us, O God, to hear Your word and have faith in your promise that You are with us each minute of every day and that You will most assuredly sustain us and strengthen us for the challenges that we face.

We know that you are our God, our Redeemer and our source of strength and faith. Help us to live each day with the assurance of Your Word found in this scripture:

“Never will I leave you; never will I forsake you. I will turn the darkness into light and make the rough places smooth. These are the things I will do,” says the Lord. “I will not forsake you.”

In Your holy name we pray, Amen.

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

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed that the Senate would reconvene 45 minutes after the conclusion of the Joint Assembly.

RECESS

At 11:55 A.M., on motion of Senator LEATHERMAN, the Senate recessed from business for the purpose of attending the Joint Assembly.

WEDNESDAY, FEBRUARY 1, 2017

JOINT ASSEMBLY

Elections

At 12:00 P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 108 -- Senators Campsen, Malloy and Hembree: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 1, 2017, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUSTICE OF THE SUPREME COURT, SEAT 5, UPON HIS SWEARING IN AS CHIEF JUSTICE OF THE SUPREME COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2020; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2017; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2017; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, UPON HIS ELECTION TO THE COURT OF APPEALS, CHIEF JUDGE, SEAT 5, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE FEBRUARY 10, 2017, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2022; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE FAMILY COURT, AT-LARGE, SEAT 7, WHOSE TERM WILL BE FROM JULY 1, 2017, UNTIL JUNE 30, 2023; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE FAMILY COURT, AT-LARGE,

WEDNESDAY, FEBRUARY 1, 2017

SEAT 8, WHOSE TERM WILL BE FROM JULY 1, 2017, UNTIL JUNE 30, 2023; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2017, THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2022.

Election of Justice, Supreme Court, Seat 5

The PRESIDENT announced that nominations were in order to elect a successor to the position of Justice, Supreme Court, Seat 5.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Diane Schafer Goodstein, the Honorable George C. James, Jr. and the Honorable R. Keith Kelly had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr., the names of the Honorable R. Keith Kelly and the Honorable Diane Schafer Goodstein were withdrawn from consideration.

On motion of Representative Murrell Smith, Jr., the name of the Honorable George C. James, Jr. was placed in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable George C. James, Jr. was elected to the position of Justice, Supreme Court, Seat 5 for the term to expire July 31, 2020.

Election of a Court of Appeals Judge, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Paul Edgar Short, Jr. had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of Paul Edgar Short, Jr. in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Paul Edgar Short, Jr. was elected to the position of Judge, Court of Appeals, Seat 1 for the term to expire June 30, 2017.

WEDNESDAY, FEBRUARY 1, 2017

Election of a Court of Appeals Judge, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Harris Bruce Williams had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of Harris Bruce Williams in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Harris Bruce Williams was elected to the position of Judge, Court of Appeals, Seat 2 for the term to expire June 30, 2017.

Election to the Position of Judge, Court of Appeals, Seat 9

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 9.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Blake Alexander Hewitt, the Honorable David Garrison “Gary” Hill and the Honorable Alison Renee Lee had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr., the names of Blake Alexander Hewitt and the Honorable Alison Renee Lee were withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of the Honorable David Garrison “Gary” Hill in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable David Garrison “Gary” Hill was elected to the position of Judge, Court of Appeals, Seat 9 for the term to June 30, 2022.

Election of a Circuit Court Judge, 7th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court Judge, 7th Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Grace Gilchrist Knie and the Honorable James Donald Willingham II had been screened and found qualified to serve.

WEDNESDAY, FEBRUARY 1, 2017

On motion of Representative G. Murrell Smith, Jr., the name of the Honorable James Donald Willingham II was withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of the Grace Gilchrist Knie in nomination, moved that nominations be closed and, that she be elected by acclamation.

Representative Hill objected.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Grace Gilchrist Knie:

The following named Senators voted in the affirmative:

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Corbin	Courson	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Hembree
Hutto	Johnson	Kimpson
Leatherman	Malloy	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

The following named Senators voted present:
Gambrell

Total--1

On the motion of Representative Cobb-Hunter, with unanimous consent, the members of the House voted by electronic roll call.

WEDNESDAY, FEBRUARY 1, 2017

The following named Representatives voted for Grace Gilchrist Knie:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brown
Burns	Caskey	Chumley
Clary	Clemmons	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	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Long	Lowe	Lucas
Mack	Martin	McCoy
McEachern	McKnight	Mitchell
D. C. Moss	V. S. Moss	Murphy
Neal	B. Newton	W. Newton
Norman	Norrell	Ott
Parks	Pope	Putnam
Quinn	Ridgeway	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

WEDNESDAY, FEBRUARY 1, 2017

Total--114

The following named Representatives voted against Grace Gilchrist Knie:
Hill

RECAPITULATION

Total number of Senators voting for Ms. Knie..... 43
Total number of Representatives voting for Ms. Knie 114
Total..... 157

Total number of Senators voting against Ms. Knie 0
Total number of Representatives voting against Ms. Knie..... 1
Total..... 1

Whereupon, the PRESIDENT announced that the Honorable Grace Gilchrist Knie was elected to the position of Judge, Circuit Court Judge, 7th Judicial Circuit, Seat 2 for the term to expire June 30, 2018.

Election of a Circuit Court Judge, At-Large, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court Judge, at-large, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Meliah Bowers Jefferson, the Honorable George Marion McFaddin, Jr. and Timothy Ward Murphy had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr., the names of Timothy Ward Murphy and Meliah Bowers Jefferson were withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of the Honorable George Marion McFaddin, Jr. in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable George Marion McFaddin, Jr. was elected to the position of Circuit Court Judge, at-large, Seat 1 for the term to expire June 30, 2021.

WEDNESDAY, FEBRUARY 1, 2017

**Election to the Position of Judge, Family Court
8th Judicial Circuit, Seat 2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 8th Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Samuel M. Price, Jr. and Mindy Westbrook Zimmerman had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr., the name of Samuel M. Price, Jr. was withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of Mindy Westbrook Zimmerman in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that Mindy Westbrook Zimmerman was elected to the position of Judge, Family Court, 8th Judicial Circuit, Seat 2 for the term to expire June 30, 2022.

Election of a Family Court Judge, At-Large, Seat 7

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court Judge, at-large, Seat 7.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Huntley Smith Crouch, Thomas “Tommy” Tredway Hodges and Delton Wright Powers, Jr. had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr., the name of Huntley Smith Crouch was withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the names of Thomas “Tommy” Tredway Hodges and Delton Wright Powers, Jr. in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Thomas Tredway Hodges:

Allen	Bennett	Climer
Corbin	Courson	Cromer
Gambrell	Hembree	Martin
Massey	McElveen	Peeler
Rankin	Reese	Rice

WEDNESDAY, FEBRUARY 1, 2017

Sabb	Setzler	Talley
Timmons	Turner	Verdin
Young		

Total--22

The following named Senators voted for Delton Wright Powers, Jr.:

Alexander	Campbell	Campsen
Davis	Fanning	Goldfinch
Gregory	Grooms	Hutto
Johnson	Kimpson	Leatherman
Malloy	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McLeod	Nicholson	Scott
Senn	Shealy	Sheheen
Williams		

Total--22

The following named Representatives voted for Thomas Tredway

Hodges:

Allison	Anthony	Arrington
Atwater	Bales	Ballentine
Bannister	Bedingfield	Bennett
Blackwell	Bradley	Burns
Caskey	Chumley	Clary
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crosby
Danig	Delleney	Dillard
Elliott	Erickson	Felder
Forrest	Forrester	Funderburk
Gagnon	Gilliard	Hamilton
Henderson	Herbkersman	Hiott
Hixon	Huggins	Knight
Loftis	Long	Magnuson
Martin	McCoy	McKnight
Mitchell	V. S. Moss	Murphy
B. Newton	W. Newton	Ott
Pitts	Pope	Putnam
Quinn	S. Rivers	Robinson-Simpson
Rutherford	Sandifer	Simrill

WEDNESDAY, FEBRUARY 1, 2017

G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Toole	Weeks	West
Whipper	White	Whitmire
Willis		

Total--76

The following named Representatives voted for Delton Wright Powers, Jr.:

Alexander	Anderson	Atkinson
Bamberg	Bernstein	Bowers
Brown	Clemmons	Davis
Douglas	Duckworth	Finlay
Fry	Govan	Hardee
Hart	Hayes	Henegan
Hewitt	Hill	Hosey
Howard	Jefferson	Johnson
Jordan	King	Kirby
Lowe	Lucas	Mack
McEachern	D. C. Moss	Neal
Norman	Norrell	Parks
Ridgeway	Ryhal	J. E. Smith
Thigpen	Wheeler	Williams
Yow		

Total--43

RECAPITULATION

Total number of Senators voting	44
Total number of Representatives voting.....	<u>119</u>
Grand Total.....	163
Necessary to a choice	82
Of which Thomas Tredway Hodges received	98
Of which Delton Wright Powers, Jr. received	65

WEDNESDAY, FEBRUARY 1, 2017

Whereupon, the PRESIDENT announced that the Honorable Thomas “Tommy” Tredway Hodges was elected to the position of Judge, Family Court Judge, at-large, Seat 7 for the term to expire June 30, 2023.

Election of a Family Court Judge, At-Large, Seat 8

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court Judge, at-large, Seat 8.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Martha M. Rivers Davisson, the Honorable Rosalyn W. Frierson and Laurel Eden Harvey Hendrick had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr., the name of Martha M. Rivers Davisson was withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Rosalyn W. Frierson and Laurel Eden Harvey Hendrick in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Hon. Rosalyn W. Frierson:

Allen	Davis	Fanning
Gambrell	Goldfinch	Gregory
Hutto	Johnson	Kimpson
Leatherman	Malloy	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Rankin	Reese
Sabb	Scott	Senn
Setzler	Sheheen	Talley
Williams		

Total--25

The following named Senators voted for Laurel Eden Harvey Hendrick:

Alexander	Bennett	Campbell
Campsen	Climer	Corbin
Courson	Cromer	Grooms
Hembree	Martin	Massey
Peeler	Rice	Shealy
Timmons	Turner	Verdin

WEDNESDAY, FEBRUARY 1, 2017

Young

Total--19

The following named Representatives voted for Hon. Rosalyn W.

Frierson:

Alexander	Anderson	Anthony
Bales	Bamberg	Bannister
Bowers	Brown	Clemmons
Clyburn	Cobb-Hunter	Crawford
Daning	Dillard	Douglas
Duckworth	Elliott	Fry
Funderburk	Gilliard	Govan
Hamilton	Hardee	Hayes
Henderson	Henegan	Herbkersman
Hosey	Howard	Jefferson
Johnson	King	Kirby
Knight	Lowe	Lucas
Mack	McEachern	McKnight
Mitchell	Murphy	Neal
Norrell	Ott	Parks
Pitts	Putnam	Ridgeway
S. Rivers	Robinson-Simpson	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Thigpen	Weeks	Whipper
Williams	Yow	

Total--59

The following named Representatives voted for Laurel Eden Harvey

Hendrick:

Allison	Arrington	Atkinson
Atwater	Ballentine	Bennett
Bernstein	Blackwell	Bradley
Burns	Caskey	Chumley
Clary	Cogswell	Cole
Collins	Crosby	Davis
Delleney	Erickson	Felder
Finlay	Forrest	Forrester
Gagnon	Hart	Hewitt

[SJ]

WEDNESDAY, FEBRUARY 1, 2017

Hill	Hiott	Hixon
Huggins	Jordan	Loftis
Long	Magnuson	Martin
McCoy	McCravy	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norman	Pope	Quinn
Rutherford	Ryhal	Sandifer
Simrill	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Toole	West
Wheeler	White	Whitmire

Total--60

RECAPITULATION

Total number of Senators voting	44
Total number of Representatives voting.....	<u>119</u>
Grand Total.....	163
Necessary to a choice	82
Of which Hon. Rosalyn W. Frierson received	84
Of which Laurel Eden Harvey Hendrick received	79

Whereupon, the PRESIDENT announced that the Honorable Rosalyn W. Frierson was elected to the position of Judge, Family Court Judge, at-large, Seat 8 for the term to expire June 30, 2023.

Election of a Administrative Law Court Judge, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat 2.

Representative G. Merrill Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Milton G. Kimpson, Grady L. “Leck” Patterson III and Debra Sherman Tedeschi had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr., the names of Debra Sherman Tedeschi and Grady L. “Leck” Patterson III were withdrawn from consideration.

Representative G. Merrill Smith, Jr. placed the name of Milton G. Kimpson in nomination, moved that nominations be closed and, with

WEDNESDAY, FEBRUARY 1, 2017

unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Milton G. Kimpson was elected to the position of Judge, Administrative Law Court, Seat 2 for the term to expire June 30, 2022.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

RECESS

At 12:45 P.M., on motion of Senator LEATHERMAN, the Senate recessed from business until 1:30 P.M.

At 1:33 P.M., the Senate resumed.

Point of Quorum

At 1:35 P.M., Senator MALLOY 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	Allen	Campbell
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Grooms	Hutto	Leatherman
Malloy	Martin	McLeod
Nicholson	Peeler	Rice
Senn	Shealy	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Recorded Presence

Senators RICE recorded his presence subsequent to the Call of the Senate.

WEDNESDAY, FEBRUARY 1, 2017

Doctor of the Day

Senator RANKIN introduced Dr. Richard C. Osman of Mrytle Beach, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator McELVEEN, at 5:10 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GROOMS, at 5:10 P.M., Senator CAMPBELL 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:

S. 22 Sen. Gregory
S. 27 Sen. Gregory
S. 36 Sen. Gregory
S. 57 Sen. Gregory
S. 59 Sen. Gregory
S. 98 Sen. Gregory
S. 137 Sen. Turner
S. 139 Sen. Gregory
S. 140 Sen. Gregory
S. 150 Sen. Gregory
S. 201 Sen. Gregory
S. 217 Sen. Verdin
S. 218 Sen. Martin
S. 263 Sens. Martin, Rice, Gambrell
S. 341 Sen. Fanning
S. 342 Sen. M.B. Matthews

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 335 -- Senator Courson: A SENATE RESOLUTION TO CONGRATULATE ANN S. TIMBERLAKE ON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER THIRTEEN YEARS OF DISTINGUISHED PUBLIC SERVICE WITH CONSERVATION VOTERS OF SOUTH CAROLINA, AND TO

WEDNESDAY, FEBRUARY 1, 2017

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

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The Senate Resolution was adopted.

S. 336 -- Senator Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR WILLIAM HENRY "BILL" JOHNSON, JR., OF MARION FOR HIS DEDICATED SERVICE TO THE CITIZENS OF MARION COUNTY AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS UPON HIS RECENT RETIREMENT AS PRESIDENT AND CEO OF THE PEE DEE FEDERAL SAVINGS BANK.

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

S. 337 -- Senator Davis: A BILL TO AMEND SECTION 34-26-410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS OF CREDIT UNIONS, SO AS TO PROVIDE THAT A CREDIT UNION MAY PROVIDE CERTAIN SERVICES TO CERTAIN NONMEMBERS; TO AMEND SECTION 34-26-500, AS AMENDED, RELATING TO MEMBERSHIP IN A CREDIT UNION, SO AS TO PROVIDE THE PROCEDURE TO ADMIT NEW COMMUNITY GROUPS TO A CREDIT UNION; TO AMEND SECTION 34-26-640, RELATING TO BOARD MEETINGS, SO AS TO REQUIRE THE BOARD TO MEET AT LEAST ONCE DURING TEN DIFFERENT MONTHS OF EACH YEAR AND TO ALLOW A DIRECTOR TO PARTICIPATE REMOTELY IN CERTAIN MEETINGS; AND TO AMEND SECTION 34-26-1020, RELATING TO PERMISSIBLE INVESTMENTS OF CREDIT UNION FUNDS, SO AS TO ALLOW FOR AN INVESTMENT IN CERTAIN CHARITABLE DONATION ACCOUNTS.

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

S. 338 -- Senators Hembree, Courson, J. Matthews and Setzler: A JOINT RESOLUTION TO PROVIDE THAT THE OPENING DATE FOR STUDENTS TO ATTEND PUBLIC SCHOOLS DURING THE 2017-2018 SCHOOL YEAR MAY BE AS EARLY AS THURSDAY,

WEDNESDAY, FEBRUARY 1, 2017

AUGUST SEVENTEENTH, IN THE DISCRETION OF THE SCHOOL DISTRICT BOARD OF TRUSTEES.

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

S. 339 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PROMISE SCHOLARSHIP ACT" BY ADDING ARTICLE 11 TO CHAPTER 111, TITLE 59 SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT THE COMMISSION ON HIGHER EDUCATION SHALL ADMINISTER THE SCHOLARSHIP PROGRAM, TO PROVIDE RELATED POWERS AND DUTIES OF THE COMMISSION, AND TO PROVIDE REQUIREMENTS FOR SCHOLARSHIP RECIPIENTS.

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

S. 340 -- Senator Sheheen: A BILL TO AMEND SECTION 1-3-230 OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF SOUTH CAROLINA'S POET LAUREATE, TO PROVIDE THAT THE SOUTH CAROLINA ARTS COMMISSION SHALL PROVIDE THE GOVERNOR WITH RECOMMENDATIONS OF QUALIFIED CANDIDATES AND TO ESTABLISH TERMS OF OFFICE AND DUTIES.

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Read the first time and referred to the General Committee.

S. 341 -- Senators Setzler, McLeod and Fanning: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO THE SOUTH CAROLINA CONSTITUTION, 1895, BY ADDING ARTICLE XVIII, TO PROVIDE FOR AN INDEPENDENT REAPPORTIONMENT COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION AND THE MANNER IN WHICH MEMBERS OF THE COMMISSION ARE CHOSEN, TO PROVIDE FOR THE DUTIES OF THE COMMISSION, TO PROVIDE FOR THE APPROVAL OF PROPOSED APPORTIONMENT PLANS, TO PROVIDE FOR APPORTIONMENT IN THE EVENT THAT A PROPOSED APPORTIONMENT PLAN IS NOT APPROVED BY REFERENDUM, AND TO EXEMPT THE PROVISIONS OF THIS

WEDNESDAY, FEBRUARY 1, 2017

ARTICLE FROM THE PROVISIONS CONTAINED IN ARTICLE III,
SECTION 1 OF THE SOUTH CAROLINA CONSTITUTION.

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

S. 342 -- Senators Williams, Davis, Hembree, Campbell, J. Matthews, Setzler, Grooms, Hutto, Allen, Johnson, Nicholson, Scott, M. B. Matthews, Rankin and Sabb: A BILL TO AMEND SECTION 40-22-295 OF THE 1976 CODE, RELATING TO ENGINEER IMMUNITY, TO PROVIDE SPECIFIED IMMUNITY FOR CERTAIN VOLUNTARY SURVEYING SERVICES AT THE SCENE OF A DECLARED STATE OR NATIONAL EMERGENCY AT THE REQUEST OF THE GOVERNOR, TO PROVIDE EXCEPTIONS TO THIS IMMUNITY, AND TO PROVIDE THE CONDITIONS AND CIRCUMSTANCES UNDER WHICH THIS GRANT OF IMMUNITY IS APPLICABLE.

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

S. 343 -- Senator Campbell: A BILL TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-880, TO DEFINE NECESSARY TERMS; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL BEAR COSTS, NOT TO EXCEED SEVEN AND ONE-HALF PERCENT OF THE TOTAL PROJECT COSTS, FOR CONSTRUCTION PROJECTS OR IMPROVEMENTS; TO PROVIDE THAT THE SECTION DOES NOT GRANT THE DEPARTMENT THE AUTHORITY TO PREVENT OR MATERIALLY LIMIT A PUBLIC WATER SYSTEM'S UTILIZATION OF PROPERTY LOCATED WITHIN A STATE TRANSPORTATION IMPROVEMENT PROJECT'S RIGHT-OF-WAY; AND TO PROVIDE THAT THE DEPARTMENT MAY ACQUIRE ADDITIONAL RIGHTS-OF-WAY TO FACILITATE THE LOCATION OF UTILITIES OUTSIDE OF RIGHTS-OF-WAY CURRENTLY CONTAINED IN THE PUBLIC HIGHWAY SYSTEM.

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

WEDNESDAY, FEBRUARY 1, 2017

S. 344 -- Senator Corbin: A BILL TO AMEND SECTION 56-1-80(A) OF THE 1976 CODE, RELATING TO APPLICATION FOR A LICENSE OR PERMIT, TO PROVIDE THAT AN APPLICATION FOR A DRIVER'S LICENSE OR PERMIT MUST ALLOW AN APPLICANT WHO HAS BEEN MEDICALLY DIAGNOSED WITH AUTISM TO VOLUNTARILY DISCLOSE THAT HE IS AUTISTIC, WHICH MUST BE INDICATED BY A SYMBOL DESIGNATED BY THE DEPARTMENT ON THE DRIVER'S LICENSE AND CONTAINED IN THE DRIVER'S RECORD.

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

S. 345 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-33-55 SO AS TO PROVIDE CERTAIN NURSING PROFESSIONALS MAY PROVIDE NONCONTROLLED PRESCRIPTION DRUGS AT ENTITIES THAT PROVIDE FREE MEDICAL SERVICES FOR INDIGENT PATIENTS; BY ADDING SECTION 40-33-57 SO AS TO PROVIDE CERTAIN NURSING PROFESSIONALS MAY CERTIFY STUDENTS AS UNABLE TO ATTEND SCHOOL BUT WHO POTENTIALLY MAY BENEFIT FROM RECEIVING INSTRUCTION AT HOME OR IN A HOSPITAL; BY ADDING SECTION 40-33-59 SO AS TO PROVIDE THAT NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES ORALLY OR IN WRITING MAY REFER A PATIENT TO A PHYSICAL THERAPIST FOR TREATMENT; BY ADDING SECTION 40-33-61 SO AS TO PROVIDE RECIPIENTS AND BENEFICIARIES OF CERTAIN ASSISTANCE AND SERVICES WITHIN THE SCOPE OF PRACTICE OF A NURSE PRACTITIONER OR CERTIFIED NURSE MIDWIFE MAY CHOOSE THE PROVIDERS FROM WHOM THEY RECEIVE SUCH ASSISTANCE AND SERVICES; BY ADDING SECTION 40-33-63 SO AS TO PROVIDE NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES MAY PRONOUNCE DEATH AND SIGN DEATH CERTIFICATES; BY ADDING SECTION 40-33-65 SO AS TO PROVIDE NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES MAY ORDER HOSPICE AND PALLIATIVE CARE SERVICES FOR PATIENTS; BY ADDING SECTION 40-33-67 SO AS TO PROVIDE NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES MAY CERTIFY INDIVIDUALS AS HANDICAPPED FOR PURPOSES OF

[SJ]

WEDNESDAY, FEBRUARY 1, 2017

OBTAINING HANDICAPPED PARKING PLACARDS; AND BY ADDING SECTION 40-47-370 SO AS TO EXEMPT ADVANCED PRACTICE REGISTERED NURSES FROM CERTAIN LICENSURE AND PRACTICE PROVISIONS WHEN EMPLOYED BY THE UNITED STATES GOVERNMENT AND PROVIDING SERVICES UNDER THE DIRECTION AND CONTROL OF THE UNITED STATES GOVERNMENT; TO AMEND SECTION 40-33-20, RELATING TO DEFINITIONS CONCERNING THE NURSE PRACTICE ACT, SO AS TO REVISE AND ADD NECESSARY DEFINITIONS; TO AMEND SECTION 40-33-34, RELATING TO THE PERFORMANCE OF DELEGATED MEDICAL ACTS, QUALIFICATIONS, PROTOCOLS, AND PRESCRIPTIVE AUTHORIZATIONS OF LICENSEES OF THE NURSING BOARD, SO AS TO MAKE VARIOUS REVISIONS; TO AMEND SECTION 40-47-20, RELATING TO DEFINITIONS CONCERNING THE BOARD OF MEDICAL EXAMINERS, SO AS TO REVISE SEVERAL DEFINITIONS AFFECTING THE SCOPE OF PRACTICE OF CERTAIN LICENSEES OF THE NURSING BOARD; AND TO AMEND SECTION 40-47-195, RELATING TO PHYSICIANS SUPERVISING MEDICAL ACTS DELEGATED TO OTHER PROFESSIONALS, SO AS TO ELIMINATE THE REQUIREMENT THAT SUPERVISING PHYSICIANS BE RESPONSIBLE FOR ENSURING CERTAIN ACTS DELEGATED TO ADVANCED PRACTICE REGISTERED NURSES ARE PERFORMED TO CERTAIN STANDARDS.

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

S. 346 -- Senators Kimpson and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 7, TITLE 6 SO AS TO ENACT THE "SOUTH CAROLINA INCLUSIONARY ZONING ACT" TO PROVIDE THAT COUNTIES AND MUNICIPALITIES ARE AUTHORIZED TO USE INCLUSIONARY ZONING STRATEGIES TO INCREASE THE AVAILABILITY OF AFFORDABLE HOUSING.

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

WEDNESDAY, FEBRUARY 1, 2017

S. 347 -- Senator Campsen: A BILL TO AMEND SECTION 7-13-190(B), RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES, TO PROVIDE FOR AN INCREASE IN THE NUMBER OF WEEKS FOR THE PRIMARY, RUNOFF PRIMARY, AND SPECIAL ELECTION FOR OFFICES IN WHICH THERE ARE PARTISAN ELECTIONS.

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

S. 348 -- Senator Martin: A SENATE RESOLUTION TO PROCLAIM FEBRUARY 22, 2017, AS "PROFESSIONAL ENGINEERS DAY" IN SOUTH CAROLINA AND TO RECOGNIZE THE ESSENTIAL SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS.

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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

H. 3220 -- Reps. Allison, West, Collins, Felder, B. Newton, Govan, Brown, Whipper, Davis and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-59-175 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS.

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

H. 3221 -- Reps. Allison, Collins, Felder, Daning, Govan, Taylor, Knight and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-90 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP AND ADOPT A STATEWIDE PROGRAM FOR IDENTIFYING FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A SCHOOL DISTRICT AND FOR ADVISING THE DISTRICT ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, TO ESTABLISH THREE LEVELS OF FISCAL AND BUDGETARY CONCERNS WITH CONDITIONS AND REQUIREMENTS ASSOCIATED WITH EACH, AND TO DIRECT THE DEPARTMENT TO PROMULGATE REGULATIONS

WEDNESDAY, FEBRUARY 1, 2017

TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND BY ADDING SECTION 59-20-95 SO AS TO REQUIRE THE STATE AUDITOR TO ADOPT THE STATEWIDE PROGRAM CREATED BY THE DEPARTMENT OF EDUCATION IN SECTION 59-20-90 AND USE IT TO IDENTIFY FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY AND TO ADVISE THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO PROVIDE EXCEPTIONS TO ENABLE THE STATE AUDITOR TO DIRECT THE DEPARTMENT TO IMMEDIATELY ASSUME EMERGENCY MANAGEMENT OF THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FOR WHICH IT HAS MADE A DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, TO CONTINUE THIS EMERGENCY MANAGEMENT OF THE LOCAL EDUCATION AGENCY UNTIL THE STATE AUDITOR RELEASES THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FROM THE DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, AS APPLICABLE, AND TO DIRECT THE STATE AUDITOR TO PROMULGATE REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

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

H. 3517 -- Reps. Hiott, Kirby, Duckworth, Forrest, Hixon, Hewitt, Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-750 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES MAY ISSUE SPECIAL AUTHORIZATION FOR HUNTING AND FISHING TO ANY PERSON WHO IS NOT MORE THAN TWENTY-ONE YEARS OLD WHO HAS BEEN DIAGNOSED WITH A TERMINAL OR LIFE THREATENING ILLNESS OR INJURY WHO IS SPONSORED BY CERTAIN NONPROFIT CHARITABLE ORGANIZATIONS, TO PROVIDE THAT LICENSE, TAG, AND FEE REQUIREMENTS FOR HUNTING AND FISHING ARE WAIVED, AND TO ALLOW THE DIRECTOR TO DETERMINE THE PERIOD OF TIME IN WHICH THE SPECIAL AUTHORIZATION IS VALID.

WEDNESDAY, FEBRUARY 1, 2017

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3623 -- Reps. Atkinson, Alexander, Allison, Anderson, Anthony, Arrington, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, 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, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR WILLIAM HENRY "BILL" JOHNSON, JR., OF MARION FOR HIS DEDICATED SERVICE TO THE CITIZENS OF MARION COUNTY AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS UPON HIS RECENT RETIREMENT AS PRESIDENT AND CEO OF THE PEE DEE FEDERAL SAVINGS BANK.

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

HOUSE CONCURRENCE

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.

Returned with concurrence.

Received as information.

WEDNESDAY, FEBRUARY 1, 2017

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

**READ THE THIRD TIME
SENT TO HOUSE**

The Bill was read third time, passed and ordered sent to the House of Representatives with amendments.

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 DRIVERS' LICENSE UNDER THE AUTHORIZATION OF A RESPONSIBLE ADULT WILLING TO ASSUME THE OBLIGATION IMPOSED.

SECOND READING BILL

The following Bill, having been read the second time, was ordered placed on the Third Reading Calendar:

S. 310 -- Senator Sheheen: A BILL TO PERMIT THE TOWN OF CAMDEN TO ANNEX CERTAIN REAL PROPERTY BY ORDINANCE UPON FINDING THAT THE PROPERTY IS BLIGHTED.

Senator SHEHEEN explained the Bill.

READ THE SECOND TIME

S. 263 -- Senators Peeler, Malloy, Alexander, Grooms, Campbell, Martin, Rice, Gambrell, Turner and Corbin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 140 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ISSUE "CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES.

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 0

WEDNESDAY, FEBRUARY 1, 2017

AYES

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

Total--38

NAYS

Total--0

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

READ THE SECOND TIME

S. 316 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO AT-RISK STUDENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4656, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question then was second reading of the Resolution.

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

Ayes 38; Nays 0

WEDNESDAY, FEBRUARY 1, 2017

AYES

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

Total--38

NAYS

Total--0

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

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 44 -- Senators Gregory and Reese: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT EIGHTY PERCENT OF THE FAIR MARKET VALUE OF CERTAIN DISTRIBUTED ENERGY RESOURCES AND TO EXEMPT THE VALUE OF RENEWABLE ENERGY RESOURCE PROPERTY FOR RESIDENTIAL USE.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\44C001.BBM.DG17), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 2, by striking Section 12-37-220(B)(53) and inserting:

WEDNESDAY, FEBRUARY 1, 2017

/ (53) renewable energy resource property for residential use. For purposes of this item, 'renewable energy resource' is defined in Section 58-40-10, and also has a nameplate capacity of no greater than twenty kilowatts as measured in alternating current." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

Senator CROMER spoke on the amendment.

The committee amendment was adopted.

Senator McELVEEN proposed the following amendment (44R001.SP.JTM), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION . A. Section 12-6-3770(A) of the 1976 Code, as added by Act 134 of 2016, is amended to read:

"Section 12-6-3770. (A) A taxpayer who constructs, purchases, or leases solar energy property located on the Environmental Protection Agency's National Priority List, National Priority List Equivalent Sites, or on a list of related removal actions, as certified by the Department of Health and Environmental Control, or on property owned by the Pinewood Site Custodial Trust located in the State of South Carolina, and places it in service in this State during the taxable year, is allowed an income tax credit equal to twenty-five percent of the cost, including the cost of installation of the property. The credit is earned in the year in which the solar energy property is placed in service, but must be taken in five equal annual installments, beginning in the year in which the solar energy property is placed in service. Unused credit may be carried forward for five taxable years from the year in which the credit was able to be taken. A lessor shall give a taxpayer who leases solar energy property from him a statement that describes the solar energy property and states the cost of the property upon request. A credit is not allowed pursuant to this section to the extent the cost of the solar energy property is provided by public funds. For purposes of this section, 'public funds' does not include federal grants or tax credits."

B.This SECTION takes effect in income tax years beginning after 2016 and shall apply and terminate in the same manner as provided in Section 1.B. of Act 134 of 2016. /

WEDNESDAY, FEBRUARY 1, 2017

Renumber sections to conform.
Amend title to conform.

Senator McELVEEN explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (DG\44C002.BBM.DG17), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 1, by striking Section 12-37-220(B)(52)(b) and inserting:

/ (b) this exemption applies for property that became operational after property tax year 2012 and only applies for the ten consecutive property tax years after the distributed energy resource becomes operational. For property that became operational in property tax year 2013 or 2014, this exemption applies so long as the property was not subject to a fee in lieu agreement as of December 31, 2014, pursuant to Chapter 44 of this title, or Chapter 12 or 29, Title 4. For property that became operational in property tax year 2015 or 2016, if the property was subject to a fee in lieu agreement as of December 31, 2016, pursuant to Chapter 44 of this title, or Chapter 12 or 29, Title 4, then the property is eligible for the exemption instead of the fee in lieu agreement so long as the taxpayer notifies the other parties to the agreement of the election no later than thirty days after the effective date of this item, and, upon the expiration of the exemption, at the taxpayer's discretion, the provisions of the applicable pre-existing agreement may apply; /

Renumber sections to conform.
Amend title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 38; Nays 4

AYES

Alexander

Allen

Bennett

[SJ]

28

WEDNESDAY, FEBRUARY 1, 2017

Campbell	Campsen	Climer
Corbin	Courson	Davis
Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Timmons	Turner	Verdin
Williams	Young	

Total--38

NAYS

Cromer	Fanning	Gambrell
Peeler		

Total--4

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

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 176 -- Senator Sheheen: 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.

The Senate proceeded to a consideration of the Bill.

The Committee on Corrections and Penology proposed the following amendment (176R003.DR.SRM), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

WEDNESDAY, FEBRUARY 1, 2017

/SECTION ____ Article 1, Chapter 5, Title 24 of the 1976 Code is amended by adding:

“Section 24-5-175. (A) A person shall not operate an unmanned aerial vehicle within a horizontal distance of five hundred feet or a vertical distance of two hundred fifty feet from any local detention facility without written consent from the jail administrator.

(B) A person who violates this section is guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.” /

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the committee amendment.

Senator SHEHEEN spoke on the amendment.

Senator RICE proposed the following amendment (176R004.DR.RFR), which was tabled:

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

/SECTION 1. Chapter 1, Title 24 of the 1976 Code is amended by adding:

“Section 24-1-300. (A) A person shall not operate an unmanned aerial vehicle within a horizontal distance of five hundred feet or a vertical distance of two hundred fifty feet from any Department of Corrections facility without written consent from the director of the Department of Corrections.

(B) Regarding the consent required pursuant to subsection (A), the director may enter into a general consent agreement with a public utility, as defined in Section 58-4-5(6), allowing the public utility to operate a drone within the restricted area to perform maintenance as needed, provided that the agreement requires appropriate notice to the facility concerning when the maintenance will occur.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.”

SECTION 2. Article 1, Chapter 5, Title 24 of the 1976 Code is amended by adding:

“Section 24-5-175. (A) A person shall not operate an unmanned aerial vehicle within a horizontal distance of five hundred feet or a

WEDNESDAY, FEBRUARY 1, 2017

vertical distance of two hundred fifty feet from any local detention facility without written consent from the jail administrator.

(B) Regarding the consent required pursuant to subsection (A), the jail administrator may enter into a general consent agreement with a public utility, as defined in Section 58-4-5(6), allowing the public utility to operate a drone within the restricted area to perform maintenance as needed, provided that the agreement requires appropriate notice to the facility concerning when the maintenance will occur.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.”

SECTION 3. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator RICE explained the committee amendment.

Senator SHEHEEN moved to lay the amendment on the table.

The amendment was tabled.

Senator TIMMONS proposed the following amendment (176R002.DR.WRT), which was adopted:

Amend the bill, as and if amended, SECTION 1, by inserting an appropriately lettered new section at the end to read:

/ () (1) In addition to the penalty provided in this section, an unmanned aerial vehicle involved in the violation of this section may be confiscated by the Department of Corrections. An unmanned aerial vehicle must not be disposed of in any manner until the results of any legal proceeding in which it may be involved are finally determined. Records must be kept of all confiscated unmanned aerial vehicles received by the Department of Corrections under the provisions of this section. Upon conviction pursuant to a violation of this section, the relevant unmanned aerial vehicle shall be placed in the custody of the South Carolina Law Enforcement Division.

(2) Any unmanned aerial vehicle confiscated pursuant to this section shall be administratively released to an innocent owner. The unmanned aerial vehicle must not be released to the innocent owner until the results of any legal proceedings in which the unmanned aerial vehicle may be involved are finally determined. Before the unmanned aerial

WEDNESDAY, FEBRUARY 1, 2017

vehicle may be released, the innocent owner shall provide the Department of Corrections with proof of ownership and shall certify that the innocent owner will not release the unmanned aerial vehicle to the person who was charged with the violation of this section that resulted in the confiscation of the unmanned aerial vehicle. The Department of Corrections shall notify the innocent owner when the unmanned aerial vehicle is available for release. If the innocent owner fails to recover the unmanned aerial vehicle within thirty days after notification of the release, the Department of Corrections may maintain or dispose of the unmanned aerial vehicle as otherwise provided in this section.” /

Amend the bill further, as and if amended, SECTION 2, by inserting an appropriately lettered new section at the end to read:

/ () (1) In addition to the penalty provided in this section, an unmanned aerial vehicle involved in the violation of this section may be confiscated by the jail administrator of a local detention facility. An unmanned aerial vehicle must not be disposed of in any manner until the results of any legal proceeding in which it may be involved are finally determined. Records must be kept of all confiscated unmanned aerial vehicles received by the jail administrator under the provisions of this section. Upon conviction pursuant to a violation of this section, the relevant unmanned aerial vehicle shall be placed in the custody of the South Carolina Law Enforcement Division.

(2) Any unmanned aerial vehicle confiscated pursuant to this section shall be administratively released to an innocent owner. The unmanned aerial vehicle must not be released to the innocent owner until the results of any legal proceedings in which the unmanned aerial vehicle may be involved are finally determined. Before the unmanned aerial vehicle may be released, the innocent owner shall provide the jail administrator with proof of ownership and shall certify that the innocent owner will not release the unmanned aerial vehicle to the person who was charged with the violation of this section that resulted in the confiscation of the unmanned aerial vehicle. The jail administrator shall notify the innocent owner when the unmanned aerial vehicle is available for release. If the innocent owner fails to recover the unmanned aerial vehicle within thirty days after notification of the release, the local detention facility may maintain or dispose of the unmanned aerial vehicle as otherwise provided in this section.” /

Renumber sections to conform.

Amend title to conform.

WEDNESDAY, FEBRUARY 1, 2017

Senator TIMMONS explained the amendment.

The amendment was adopted.

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	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 220 -- Senators Shealy and McElveen: A BILL TO AMEND SECTION 63-7-920(C) OF THE 1976 CODE, RELATING TO INTERVIEWS CONDUCTED DURING AN INVESTIGATION OF

WEDNESDAY, FEBRUARY 1, 2017

CHILD ABUSE ALLEGATIONS, TO PROVIDE THAT HEARING IMPAIRED CHILDREN SHALL BE INTERVIEWED USING A SIGN LANGUAGE INTERPRETER NOT RELATED TO THE CHILD, TO ALLOW FOR REMOTE VIDEO INTERPRETATION, AND TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO MAINTAIN A DATABASE OF QUALIFIED INTERPRETERS; AND TO AMEND CHAPTER 25, TITLE 16, RELATING TO CRIMINAL DOMESTIC VIOLENCE, TO PROVIDE THAT INTERVIEWS CONDUCTED DURING AN INVESTIGATION OF CRIMINAL DOMESTIC VIOLENCE IN WHICH A HEARING IMPAIRED CHILD MAY HAVE BEEN INVOLVED OR WITNESSED THE ACT OF DOMESTIC VIOLENCE MUST BE CONDUCTED WITH THE USE OF A SIGN LANGUAGE INTERPRETER NOT RELATED TO THE CHILD.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0220.001), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 17-19 and inserting:

/ child during the interview. The interview may occur outside the presence of the child's parent or other family members, however, the interview must occur outside the presence of any potential or alleged abusers. /

Amend the bill further, as and if amended, page 2, by striking lines 35-37 and inserting:

/ language interpreter when conducting an interview of the child. The interview may occur outside the presence of the child's parent or other family members, however, the interview must occur outside the presence of any potential or alleged suspects. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the Bill.

Senator HUTTO explained the committee amendment.

Senator SHEALY proposed the following amendment (JUD0220.002), which was adopted:

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

WEDNESDAY, FEBRUARY 1, 2017

/ SECTION 1. Section 63-7-920(C) of the 1976 Code is amended to read:

“(C)(1)(a) The department or law enforcement, or both, may interview the child alleged to have been abused or neglected and any other child in the household during the investigation. The interviews may be conducted on school premises, at childcare facilities, at the child's home or at other suitable locations and in the discretion of the department or law enforcement, or both, may be conducted outside the presence of the parents or guardians, however, the interview must occur outside the presence of any potential or alleged abusers.

(b) To the extent reasonably possible, the needs and interests of the child must be accommodated in making arrangements for interviews, including time, place, method of obtaining the child's presence, and conduct of the interview. The department or law enforcement, or both, shall provide notification of the interview to the parents as soon as reasonably possible during the investigation if notice will not jeopardize the safety of the child or the course of the investigation.

(c) All state, law enforcement, and community agencies providing child welfare intervention into a child's life should coordinate their services to minimize the number of interviews of the child to reduce potential emotional trauma to the child.

(2)(a) The department or law enforcement, or both, must use a trained and qualified American Sign Language interpreter when conducting an interview of a hearing impaired child who communicates in American Sign Language, pursuant to item (1). The child's parent, guardian, or family member may not act as an interpreter for the child during the interview. The interview may occur outside the presence of the child's parent, guardian, or other family members, however, the interview must occur outside the presence of any potential or alleged abusers.

(b) The interpreter may interpret from a remote location by communicating with the child using video remote interpreting. If the child is unable to understand, then a live, qualified interpreter from the list compiled pursuant to subitem (c) shall be used.

(c) The department shall maintain a list of qualified sign language interpreters in each county available to conduct interviews pursuant to this subsection or the department may contract with a provider to maintain such a list.

(d) The requirements of section 63-7-920(C)(2) do not limit the ability of the department or law enforcement from communicating or

WEDNESDAY, FEBRUARY 1, 2017

attempting to communicate with the victim in case of an emergency, at the scene of an incident, or at the discretion of the interviewer if a sign language interpreter is unavailable and obtaining information from the child is necessary prior to the interpreter becoming available.”

SECTION 2. Chapter 25, Title 16 of the 1976 Code is amended by adding:

“Section 16-25-75. (A) A law enforcement officer who is investigating a violation of this article or a violation of Chapter 3, Title 16 that may have involved or occurred in the presence of a hearing impaired child who communicates in American Sign Language must use a trained and qualified American Sign Language interpreter when conducting an interview of the child. The interview may occur outside the presence of the child’s parent or other family members, however, the interview must occur outside the presence of any potential or alleged suspects.

(B) The interpreter may interpret from a remote location by communicating with the child using video remote interpreting. If the child is unable to understand, then a live, qualified interpreter from the list compiled pursuant to Section 63-7-920(C)(2)(c) shall be used.

(C) The requirements of this section do not limit the ability of law enforcement from communicating or attempting to communicate with the victim in case of an emergency, at the scene of an incident, or at the discretion of the interviewer if a sign language interpreter is unavailable and obtaining information from the child is necessary prior to the interpreter becoming available.”

SECTION 3. This act takes effect upon approval by the Governor.

----XX--- /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question then was second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Alexander
Campbell

Allen
Campsen

Bennett
Climer

[SJ]

WEDNESDAY, FEBRUARY 1, 2017

Corbin	Courson	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
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--44

NAYS

Total--0

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

CARRIED OVER

S. 6 -- Senators Bryant, Hembree and Campbell: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE THAT A PERSON WHO TORTURES, MUTILATES, INJURES, DISABLES, POISONS, OR KILLS A POLICE DOG OR HORSE MAY BE FINED UP TO TEN THOUSAND DOLLARS, MAY BE IMPRISONED FOR UP TO TEN YEARS, MUST PAY RESTITUTION TO COVER THE COST OF RESTORING OR REPLACING THE DOG OR HORSE INJURED OR KILLED, AND MAY BE REQUIRED TO COMPLETE UP TO FIVE HUNDRED HOURS OF COMMUNITY SERVICE FOR AN ANIMAL-RELATED ORGANIZATION OR FOUNDATION.

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

Expression of Personal Interest

Senator SHEHEEN rose for an Expression of Personal Interest.

WEDNESDAY, FEBRUARY 1, 2017

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the committee selection process in Rule 19 was waived and a vacancy was filled in the following manner:

Senator HEMBREE fills a vacancy on the Agriculture and Natural Resources Committee and vacates a seat on the General Committee.

Senator CORBIN fills a vacancy on the Fish, Game and Forestry Committee and vacates a seat on the General Committee

Senator GAMBRELL fills a vacancy on the General Committee and vacates a seat on the Fish, Game and Forestry Committee.

SEATING SELECTION

On motion of Senator CAMPSSEN, with unanimous consent, the seat selection process in Rule 4 was waived and seat selections were made in the following manner:

Seat #8 Senator CAMPSSEN

Seat #11 Senator GOLDFINCH

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

MOTION ADOPTED

At 2:42 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.

COMMITTEE AMENDMENT ADOPTED, AMENDED

READ THE SECOND TIME

S. 27 -- Senators Campsen, Young, Hembree, Climer and Gregory: 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,

WEDNESDAY, FEBRUARY 1, 2017

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.

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

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

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 COURSON spoke on the Bill.

Senator SCOTT spoke on the committee amendment.

The committee amendment was adopted.

Amendment No. P1-1

Senator SCOTT proposed the following amendment (WAB\27C017.AGM.WAB17), which was adopted:

Amend the amendment bearing document number WAB\27C007.AGM.AB17, as and if amended, Section 59-3-10(B)(1), as contained in SECTION 1, by deleting the item in its entirety and inserting:

/ (1) substantive and broad-based 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, 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 SCOTT spoke on the perfecting amendment.

WEDNESDAY, FEBRUARY 1, 2017

The perfecting amendment was adopted.

Amendment No. 1

Senators SHEHEEN and HEMBREE proposed the following amendment (WAB\27C007.AGM.AB17), which was adopted:

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

/ SECTION 1. Section 59-3-10 of the 1976 Code is amended to read:

~~“Section 59-3-10. (A) The State Superintendent of Education shall must be elected at each general election in the same manner as other State officers and shall enter upon the duties of his office at the time prescribed by law. Before entering upon the duties of his office he shall give bond for the use of the State in the penal sum of five thousand dollars, with good and sufficient sureties, to be approved by the Governor, conditioned for the faithful and impartial performance of the duties of his office, and he shall also, at the time of giving bond, take and subscribe the oath prescribed in Section 26 of Article III of the Constitution of the State, which shall be endorsed upon the back of the bond. The bond shall be filed with the Secretary of State, and by him recorded and, when so recorded, shall be filed with the State Treasurer. The Superintendent of Education shall receive as compensation for his services such sum as the General Assembly shall by law provide, payable monthly out of the State Treasury, and his traveling expenses, not exceeding three hundred dollars, shall be paid out of the State Treasury upon duly itemized accounts rendered by him appointed by the Governor, with the advice and consent of the Senate. The superintendent shall serve at the pleasure of the Governor and must receive such compensation as may be established under the provision of Section 8-11-160. A vacancy in the office of superintendent must be filled as provided in Section 1-30-10(B)(1)(iv) and in Section 1-3-210, as applicable.~~

(B) The Superintendent of Education must possess:

(1) substantive and broad-based 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

WEDNESDAY, FEBRUARY 1, 2017

(2) substantive and broad-based experience in operational and financial management in any field of expertise including, but not limited to, finance, economics, accounting, law, or business.”

SECTION 2. Section 1-30-100(B)(1) of the 1976 Code, as last amended by Act 121 of 2014, is further amended to read:

“(1) The governing authority of each department shall be:

(i) a director or a secretary, who must be appointed by the Governor with the advice and consent of the Senate, subject to removal from office by the Governor pursuant to provisions of Section 1-3-240(B); or

(ii) a board to be appointed and constituted in a manner provided for by law; or

(iii) in the case of the Department of Agriculture ~~and the Department of Education~~, the State Commissioner of Agriculture ~~and the State Superintendent of Education~~, respectively, elected to office under the Constitution of this State; or

(iv) in the case of the Department of Education, the State Superintendent of Education appointed by the Governor with the advice and consent of the Senate, serving at the pleasure of the Governor; or

(v) in the case of the Department of Transportation, a seven member commission constituted in a manner provided by law, and a Secretary of Transportation appointed by and serving at the pleasure of the Governor.”

SECTION 3. Section 1-1-1210 of the 1976 Code is amended to read:

“Section 1-1-1210. The annual salaries of the state officers listed below are:

Governor	\$98,000
Lieutenant Governor	43,000
Secretary of State	85,000
State Treasurer	85,000
Attorney General	85,000
Comptroller General	85,000
Superintendent of Education	85,000
Adjutant General	85,000
Commissioner of Agriculture	85,000

These salaries must be increased by two percent on July 1, 1991, and on July first of each succeeding year through July 1, 1994.

WEDNESDAY, FEBRUARY 1, 2017

A state officer whose salary is provided in this section may not receive compensation for ex officio service on any state board, committee, or commission.”

SECTION 4. The person elected State Superintendent of Education in the 2018 General Election shall serve out his term; however, if the person vacates that office before the term expires in January 2023, any successors must: (1) be appointed as provided in Section 1-30-10(B)(1)(iv); and (2) must satisfy the experience requirements of Section 59-3-10(B).

SECTION 5. Section 59-3-20 of the 1976 Code is repealed.

SECTION 6. The provisions of this act take effect upon approval and ratification of an amendment to Section 7, Article VI of the South Carolina Constitution, 1895, providing for the appointment of the State Superintendent of Education by the Governor, with the advice and consent of the Senate, and are applicable beginning with the 2018 General Election. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 2

Senator SCOTT proposed the following amendment (WAB\27C015.AGM.WAB17), which was carried over and subsequently withdrawn:

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

/ (B) The State Superintendent of Education must:

(1) hold an earned doctorate degree in education or a related field;
and

(2) must have at least ten years of experience in public education or a related field.” /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was carried over.

WEDNESDAY, FEBRUARY 1, 2017

Amendment No. 3

Senator SCOTT proposed the following amendment (WAB\27C014.AGM.WAB17), which was withdrawn:

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

/ (B) The State Superintendent of Education must:

(1) hold a master's degree from an accredited institution; and

(2) a minimum of five years of demonstrated successful administrative experience at a managerial level in public education, related fields, or both." /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

Point of Order

Senator MALLOY raised a Point of Order that the motion was out of order inasmuch as Senator HEMBREE did not have the floor.

The PRESIDENT sustained the Point of Order.

On motion of Senator SCOTT, with unanimous consent, Amendment No. 3 was withdrawn.

Amendment No. 5

Senator SCOTT proposed the following amendment (WAB\27C018.AGM.WAB17), which was carried over and subsequently withdrawn:

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

/ (B) The State Superintendent of Education must:

(1) meet minimum education requirements of holding:

(a) master's degree, regardless of subject, from an accredited institution; or

(b) a doctorate degree, such a doctor of education, with coursework in education administration, law, and finance; and

(2) meet minimum experience requirements of having:

(a) at least three years of experience in public school administration;

WEDNESDAY, FEBRUARY 1, 2017

(b) two to five years of public education management experience above the school principal level, such as that of curriculum administrator; or

(c) five years of teaching experience.” /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was carried over.

Amendment No. 4

Senator SCOTT proposed the following amendment (WAB\27C012.AGM.WAB17), which was carried over and subsequently withdrawn:

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

/ (B) The State Superintendent of Education must:

(1) hold a master’s degree from an accredited institution; and

(2) have at least five years of experience as a public school teacher and at least five of administrative or supervisory experience in public education.” /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

RECESS

At 3:37 P.M., on motion of Senator COURSON, the Senate recessed from business not to exceed 10 minutes.

At 3:50 P.M., the Senate resumed.

Senator SCOTT moved to carry over the amendment.

The amendment was carried over.

Amendment No. 6

Senator SCOTT proposed the following amendment (WAB\27C013.AGM.WAB17), which was carried over and subsequently withdrawn:

WEDNESDAY, FEBRUARY 1, 2017

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

/ (B) The State Superintendent of Education must hold an earned advanced degree, preferably in education or educational administration awarded from an accredited institution.” /

Renumber sections to conform.

Amend title to conform.

The amendment was carried over.

Amendment No. 7

Senator HUTTO proposed the following amendment (WAB\27C011.AGM.WAB17), which was carried over and subsequently withdrawn:

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

/ SECTION 1.A. Section 59-3-10 of the 1976 Code is amended to read:

“Section 59-3-10. (A) The State Superintendent of Education ~~shall must~~ be elected at each general election in the same manner as other State officers and shall enter upon the duties of his office at the time prescribed by law. ~~Before entering upon the duties of his office he shall give bond for the use of the State in the penal sum of five thousand dollars, with good and sufficient sureties, to be approved by the Governor, conditioned for the faithful and impartial performance of the duties of his office, and he shall also, at the time of giving bond, take and subscribe the oath prescribed in Section 26 of Article III of the Constitution of the State, which shall be endorsed upon the back of the bond. The bond shall be filed with the Secretary of State, and by him recorded and, when so recorded, shall be filed with the State Treasurer. The Superintendent of Education shall receive as compensation for his services such sum as the General Assembly shall by law provide, payable monthly out of the State Treasury, and his traveling expenses, not exceeding three hundred dollars, shall be paid out of the State Treasury upon duly itemized accounts rendered by him appointed by the Governor, with the advice and consent of the Senate. The superintendent shall serve at the pleasure of the Governor and must receive such compensation as may be established under the provision of Section 8-11-160. A vacancy in the office of superintendent must be filled as provided in Section 1-30-10(B)(1)(iv) and in Section 1-3-210, as applicable.~~

WEDNESDAY, FEBRUARY 1, 2017

(B) The Superintendent of Education must possess:

(1) substantive and broad-based 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

(2) substantive and broad-based experience in operational and financial management in any field of expertise including, but not limited to, finance, economics, accounting, law, or business.”

B. Section 59-3-10(B), as added by SECTION 1.A., is effective upon approval by the Governor.

SECTION 2. Section 1-30-100(B)(1) of the 1976 Code, as last amended by Act 121 of 2014, is further amended to read:

“(1) The governing authority of each department shall be:

(i) a director or a secretary, who must be appointed by the Governor with the advice and consent of the Senate, subject to removal from office by the Governor pursuant to provisions of Section 1-3-240(B); or

(ii) a board to be appointed and constituted in a manner provided for by law; or

(iii) in the case of the Department of Agriculture ~~and the Department of Education~~, the State Commissioner of Agriculture ~~and the State Superintendent of Education, respectively~~, elected to office under the Constitution of this State; or

(iv) in the case of the Department of Education, the State Superintendent of Education appointed by the Governor with the advice and consent of the Senate, serving at the pleasure of the Governor; or

(v) in the case of the Department of Transportation, a seven member commission constituted in a manner provided by law, and a Secretary of Transportation appointed by and serving at the pleasure of the Governor.”

SECTION 3. Section 1-1-1210 of the 1976 Code is amended to read:

“Section 1-1-1210. The annual salaries of the state officers listed below are:

Governor	\$98,000
Lieutenant Governor	43,000
Secretary of State	85,000
State Treasurer	85,000
Attorney General	85,000

WEDNESDAY, FEBRUARY 1, 2017

Comptroller General	85,000
Superintendent of Education	85,000
Adjutant General	85,000
Commissioner of Agriculture	85,000

These salaries must be increased by two percent on July 1, 1991, and on July first of each succeeding year through July 1, 1994.

A state officer whose salary is provided in this section may not receive compensation for ex officio service on any state board, committee, or commission.”

SECTION 4. The person elected State Superintendent of Education in the 2018 general election shall serve out his term; however, if the person vacates that office before the term expires in January 2023, any successors must: (1) be appointed as provided in Section 1-30-10(B)(1)(iv); and (2) must satisfy the experience requirements of Section 59-3-10(B).

SECTION 5. Section 59-3-20 of the 1976 Code is repealed.

SECTION 6. The provisions of Section 59-3-10(B), as contained in SECTION 1.A., take effect upon approval by the Governor, and are applicable to any successor to the person elected State Superintendent of Education in the 2014 General Election. The remaining of this act take effect upon approval and ratification of an amendment to Section 7, Article VI of the South Carolina Constitution, 1895, providing for the appointment of the State Superintendent of Education by the Governor, with the advice and consent of the Senate, and are applicable beginning with the 2018 General Election. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was carried over.

Motion Adopted

On motion of Senator CAMPSSEN, with unanimous consent, Senators CAMPSSEN, SABB, TALLEY, MALLOY and HUTTO were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

WEDNESDAY, FEBRUARY 1, 2017

Amendment No. 8

Senators SCOTT, HEMBREE and CROMER proposed the following amendment (27R001.SP.JS), which was adopted:

Amend the bill, as and if amended by striking Section 59-3-10(B) and inserting:

/ (B) The Superintendent of Education must possess:

(1) the minimum of a master's degree and substantive and broad-based 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, or other education policy making body at either the state or local level or any combination of them; or

(2) substantive and broad-based experience in operational and financial management in any field of expertise including, but not limited to, finance, economics, accounting, law, or business.” /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

On motion of Senator SCOTT, with unanimous consent, Amendment No. 2, Amendment No. 4, Amendment No. 5, Amendment No. 6 and Amendment No. 7 were withdrawn.

Amendment No. 9A

Senators SCOTT, HUTTO and MASSEY proposed the following amendment (27R002.SP.ASM), which was adopted:

Amend the bill, as and if amended, by striking Section 59-3-10(B)(1) and inserting:

/ (B) The Superintendent of Education must possess:

(1) the minimum of a master's degree and substantive and broad-based 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, or other education policy making body at either the state or local level or any combination of them; or

(2) the minimum of a master's degree and substantive and broad-based experience in operational and financial management in any field of expertise including, but not limited to, finance, economics, accounting, law, or business.

WEDNESDAY, FEBRUARY 1, 2017

(C) Any judicial action challenging the qualifications of a candidate must be brought in the circuit court within thirty days of the close of candidate filing for Superintendent of Education.” /

Amend the bill further, as and if amended, by striking SECTION 6 and inserting:

/ SECTION 6. The provisions of Section 59-3-10(B), as contained in SECTION 1.A., take effect upon approval by the Governor. The remaining provisions of this act take effect upon approval and ratification of an amendment to Section 7, Article VI of the South Carolina Constitution, 1895, providing for the appointment of the State Superintendent of Education by the Governor, with the advice and consent of the Senate, and are applicable beginning with the 2018 General Election./

ReNUMBER sections to conform.

Amend title to conform.

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 41; Nays 0

AYES

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

Total--41

WEDNESDAY, FEBRUARY 1, 2017

NAYS

Total--0

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

Motion Adopted

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

MOTION ADOPTED

On motion of Senators ALEXANDER, RICE, CORBIN, TURNER, ALLEN, MARTIN, TALLEY, PEELER, TIMMONS, NICHOLSON, GAMBRELL and REESE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Keith Frazier of Greenville, S.C. Mr. Frazier worked for the Department of Social Services for over 20 years in a variety of roles and was a regional director over six counties in the Upstate. He was very respected by his staff and community and dedicated himself to helping children and families in South Carolina. Keith was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Carl Bentley Ramsey of Manning, S.C. Dr. Ramsey served in the United States military in Korea. He received a master's degree in 1954 from Peabody College in Nashville and an educational specialist degree in 1972 from Western Carolina University. Carl was named the Clarendon School District Two Superintendent in 1972 and served until he retired in 1988. In 1992, he was elected to the Clarendon County Council and served for twelve years. He was a dedicated servant who will be dearly missed.

WEDNESDAY, FEBRUARY 1, 2017

ADJOURNMENT

At 5:12 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

WEDNESDAY, FEBRUARY 1, 2017

SENATE JOURNAL INDEX

S. 6.....	37	S. 339.....	17
S. 27.....	38	S. 340.....	17
S. 44.....	26	S. 341.....	17
S. 108.....	2	S. 342.....	18
S. 176.....	29	S. 343.....	18
S. 198.....	24	S. 344.....	19
S. 220.....	33	S. 345.....	19
S. 263.....	24	S. 346.....	20
S. 310.....	24	S. 347.....	21
S. 316.....	25	S. 348.....	21
S. 320.....	23	H. 3220.....	21
S. 335.....	15	H. 3221.....	21
S. 336.....	16	H. 3517.....	22
S. 337.....	16	H. 3623.....	23
S. 338.....	16		