

NO. 34

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, MARCH 7, 2017

Tuesday, March 7, 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:

Psalm 127:1

“Unless the Lord builds the house, its builders labor in vain. Unless the Lord watches over the city, the watchmen stand guard in vain.”

Let us pray. Gracious God, all of us are brought into this world to be builders; builders of a better world than that in which we were born. Each of us is called upon by You, O God, to do our part, be it large or small, but always building with integrity and honor. We pray this day that each Senator here will seek Your guidance and Your blessing on all that is accomplished here. May You always be the architect that designs and guides the work of this Chamber lest we all labor in vain. To this end we commit our energy, our vision and our faith in You. Amen.

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

Point of Quorum

At 2:11 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2016, and to expire April 6, 2022

6th Congressional District:

Mitch Lowrey, 132 Forest Grove Road, Estill, SC 29918 *VICE*
Rebecca Morrison Hughes

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Referred to the Committee on Agriculture and Natural Resources.

Reappointment, South Carolina Commission on Archives and History,
with term coterminous with Governor

At-Large:

William L. Kinney, Jr., Post Office Box 656, Bennettsville, SC 29512

Referred to the Committee on Education.

Reappointment, South Carolina Commission for the Blind, with the
term to commence May 19, 2017, and to expire May 19, 2021

2nd Congressional District:

Judith E. Johnson, 317 Ballentine Estates Road, Irmo, SC 29063

Referred to the General Committee.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of
South Carolina, with term coterminous with Governor

At-Large:

John D. "JD" Wilcox, Jr., Post Office Box 3, Union, SC 29379 *VICE*
Bernard Chapman (resigned)

Referred to the General Committee.

Reappointment, Board of Directors of the South Carolina Public
Service Authority, with the term to commence May 19, 2016, and to
expire May 19, 2023

5th Congressional District:

Alfred L. Reid, 1681 Huntmoor Dr., Rock Hill, SC 29372

Referred to the Committee on Judiciary.

Reappointment, South Carolina State Athletic Commission, with the
term to commence June 30, 2016, and to expire June 30, 2020

At-Large:

Pamela W. Shealy, 237 Blue Cedar Rd., Irmo, SC 29063

Referred to the Committee on Labor, Commerce and Industry.

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Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2013, and to expire August 15, 2017

At-Large:

Mary L. Sieck, 5904 Morning Star Rd., Lake Wylie, SC 29710

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2017, and to expire August 15, 2021

At-Large:

Mary L. Sieck, 5904 Morning Star Rd., Lake Wylie, SC 29710

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2016, and to expire June 9, 2019

Nursing Home Administrator (Qualified Hospital Administrator):

Elizabeth A. Schaper, 580 Bethesda Road, Spartanburg, SC 29302
VICE Melvin K. Hiatt

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2014, and to expire September 30, 2017

Lay Member:

Leslie M. Turner, 49 Orchard Park Drive, Apartment 129, Greenville, SC 29615
VICE David P. Putnam

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2017, and to expire September 30, 2020

Lay Member:

Leslie M. Turner, 49 Orchard Park Drive, Apartment 129, Greenville, SC 29615

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Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2014, and to expire June 9, 2017

Nonproprietary Nursing Home Administrator:

William H. Birmingham, Jr., 119 Parkside Dr., Anderson, SC 29621
VICE David B. Buckshorn

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2017, and to expire June 9, 2020

Nonproprietary Nursing Home Administrator:

William H. Birmingham, Jr., 119 Parkside Dr., Anderson, SC 29621

Referred to the Committee on Medical Affairs.

Doctor of the Day

Senator CAMPSSEN introduced Dr. Horace Walpole, Jr. of Piedmont, S.C., Doctor of the Day.

Leave of Absence

At 2:14 P.M., Senator CAMPBELL requested a leave of absence for Senator GROOMS for the day.

Leave of Absence

At 2:20 P.M., Senator TIMMONS requested a leave of absence for Senator TALLEY for the day.

Leave of Absence

At 2:50 P.M., Senator BENNETT requested a leave of absence for Senator COURSON until 5:00 P.M.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

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CO-SPONSORS ADDED

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

S. 78 Sen. Cromer
S. 217 Sen. Gambrell
S. 505 Sen. Campbell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 506 -- Senator Shealy: A BILL TO AMEND SECTION 40-43-170(A) OF THE 1976 CODE, RELATING TO A STATE OF EMERGENCY, PREREQUISITES TO EMERGENCY REFILLS, AND THE DISPENSING OF MEDICATIONS BY PHARMACISTS NOT LICENSED IN THIS STATE, TO ALLOW FOR A ONE-TIME, THIRTY-DAY EMERGENCY REFILL DURING A STATE OF EMERGENCY.

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

S. 507 -- Senator Alexander: A BILL TO AMEND SECTION 39-20-45 OF THE 1976 CODE, RELATING TO SELF-SERVICE STORAGE FACILITIES, TO PROVIDE THAT, AFTER A FIFTY DAY DEFAULT PERIOD, THE OWNER OF A STORAGE FACILITY MAY ENFORCE ITS LIEN BY ARRANGING FOR A COMMERCIALY REASONABLE PUBLIC SALE TO THE HIGHEST BIDDER SO LONG AS, AT LEAST SEVEN DAYS BEFORE THE SALE, THE OWNER ADVERTISES THE PUBLIC SALE IN A COMMERCIALY REASONABLE MANNER AND IN ACCORDANCE WITH THE REQUIREMENTS IN ITEM (F) OF THIS SECTION; TO PROVIDE THAT, FOR PURPOSES OF THIS CHAPTER, "COMMERCIALY REASONABLE SALE" INCLUDES, BUT IS NOT LIMITED TO, THE OFFERING OF PROPERTY TO AN AUDIENCE OF BIDDERS THROUGH AN ONLINE, PUBLICLY ACCESSIBLE AUCTION WEBSITE AND THAT THE ADVERTISEMENT WILL BE DEEMED TO HAVE BEEN MADE IN A "COMMERCIALY REASONABLE MANNER" IF AT LEAST THREE INDEPENDENT BIDDERS ATTEND THE SALE AT THE TIME AND PLACE AS ADVERTISED; TO PROVIDE THAT, IN THE EVENT THAT THE PUBLIC SALE IS PLANNED TO BE HELD THROUGH A PUBLICLY AVAILABLE INTERNET WEBSITE, THE

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ADVERTISEMENT SHALL INCLUDE THE WEBSITE ADDRESS, WHICH SHALL CONSTITUTE THE "PLACE" FOR PURPOSES OF FULFILLING THIS REQUIREMENT; AND TO PROVIDE THAT ANY SALE OR DISPOSITION OF PERSONAL PROPERTY FROM A COMMERCIALY REASONABLE SALE MUST BE HELD IN A COMMERCIALY REASONABLE MANNER EITHER THROUGH A PUBLICLY ACCESSIBLE INTERNET WEBSITE, AT THE SELF SERVICE STORAGE FACILITY, OR AT THE NEAREST SUITABLE PLACE TO WHERE THE PERSONAL PROPERTY IS HELD OR STORED.

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

S. 508 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE MARCH 14, 2017, AS "4-H DAY" IN SOUTH CAROLINA AND TO COMMEND MS. CAREY HERNDON, STATE 4-H TEEN COUNCIL PRESIDENT; DR. PAM ARDERN, STATE 4-H PROGRAM LEADER; AND THE 2016-2017 4-H LEADERSHIP TEAM FOR THEIR NUMEROUS ACCOMPLISHMENTS AND FOR THE LEADERSHIP THAT THEY HAVE DEMONSTRATED.

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On motion of Senator VERDIN, with unanimous consent, the Senate Resolution was introduced and ordered placed on the Calendar without reference.

S. 509 -- Senator Hembree: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MRS. JANELLE LEWIS FOR HER SIGNIFICANT PARTICIPATION IN THE HORRY ELECTRIC COOPERATIVE, INC., AND TO CONGRATULATE HER UPON BEING NAMED THE COOPERATIVE'S 2017 RURAL LADY OF THE YEAR.

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

S. 510 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR VANESSA MARTIN AND SHANNON TAYLOR, FACULTY ADVISORS FOR THE FAIRFIELD CENTRAL HIGH SCHOOL BETA CLUB, AND TO CONGRATULATE THEM

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AND THE BETA CLUB MEMBERS FOR THEIR EXCEPTIONAL YEAR OF GROWTH AND SUCCESS.

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

S. 511 -- Senator Senn: A SENATE RESOLUTION TO CONGRATULATE MR. AND MRS. CHRISTOPHER JOSEPH PINCKNEY OF CHARLESTON COUNTY ON THE OCCASION OF THEIR GOLDEN ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILLMENT.

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The Senate Resolution was adopted.

S. 512 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE STEPHANIE M. JOHNSON ON HER EXTENSIVE ACCOMPLISHMENTS IN THE WORLD OF EDUCATION AND TO HONOR HER FOR HER SERVICE TO THE CHILDREN OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 513 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LAMAR RICHARDS, A SOPHOMORE AT FAIRFIELD CENTRAL HIGH SCHOOL, AND TO CONGRATULATE HIM FOR BEING NAMED PRESIDENT OF THE SOUTH CAROLINA SENIOR BETA CLUB.

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

S. 514 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LONG CANE AFRICAN METHODIST EPISCOPAL (AME) CHURCH OF ABBEVILLE AND TO CELEBRATE WITH THE PASTOR AND MEMBERS THEIR FAITHFUL SERVICE AS A CONGREGATION TO THEIR COMMUNITY FOR ONE HUNDRED FIFTY YEARS.

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The Senate Resolution was adopted.

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H. 3358 -- Reps. Willis, Allison, Collins, Knight, West, Felder and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-87 SO AS TO PROVIDE THAT A PERSON MAY HOLD ONLY ONE DEPARTMENT OF MOTOR VEHICLES-ISSUED CREDENTIAL AT A TIME, TO PROVIDE THAT A REAL ID CARD MAY BE A DRIVER'S LICENSE OR IDENTIFICATION CARD, AND TO PROVIDE THAT THE DEPARTMENT MAY ISSUE A COMPLIANT OR NON-COMPLIANT CREDENTIAL TO A PERSON WHO PRESENTS CERTAIN DOCUMENTS TO THE DEPARTMENT; TO AMEND SECTION 56-1-85, RELATING TO THE STATE'S NON-PARTICIPATION IN THE FEDERAL REAL ID ACT, SO AS TO PROVIDE THAT THE STATE SHALL MEET ALL THE REQUIREMENTS OF THE FEDERAL REAL ID ACT; TO AMEND SECTION 56-1-90, RELATING TO IDENTIFICATION NECESSARY TO OBTAIN A DRIVER'S LICENSE, SO AS TO REVISE THE CRITERIA THAT MUST BE MET TO PROVE THE EXISTENCE AND VALIDITY OF A PERSON'S SOCIAL SECURITY NUMBER; TO AMEND SECTION 56-1-140, AS AMENDED, RELATING TO THE ISSUANCE OF A DRIVER'S LICENSE, SO AS TO REVISE THE COST AND FREQUENCY OF THE RENEWAL PERIOD FOR A DRIVER'S LICENSE, TO REVISE THE CONTENT OF A DRIVER'S LICENSE, AND TO ELIMINATE THE FEE ASSOCIATED WITH THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE; TO AMEND SECTION 56-1-210, RELATING TO THE EXPIRATION OF A DRIVER'S LICENSE, SO AS TO REVISE THE EXPIRATION DATE OF A LICENSE ISSUED AFTER OCTOBER 1, 2017, AND TO REVISE THE CRITERIA THAT MUST BE MET BY A PERSON WHO SEEKS TO HAVE HIS LICENSE RENEWED; AND TO AMEND SECTION 56-1-220, AS AMENDED, RELATING TO VISION SCREENINGS REQUIRED FOR RENEWAL OF A DRIVER'S LICENSE, SO AS TO REVISE THE CRITERIA THAT MUST BE MET BY A PERSON WHO SEEKS TO RENEW HIS DRIVER'S LICENSE.

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

REPORT OF STANDING COMMITTEE

Senator PEELER from the Committee on Medical Affairs submitted a favorable with amendment report on:

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S. 179 -- Senators Hutto and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 19 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR CERTAIN DRUG AND ALCOHOL-RELATED OFFENSES COMMITTED BY A PERSON WHO SEEKS MEDICAL ASSISTANCE FOR ANOTHER PERSON WHO IS EXPERIENCING A DRUG OR ALCOHOL-RELATED OVERDOSE OR BY A PERSON WHO IS EXPERIENCING A DRUG OR ALCOHOL-RELATED OVERDOSE AND SEEKS MEDICAL ASSISTANCE, TO ALLOW THE COURT TO CONSIDER AS A MITIGATING FACTOR IN PROCEEDINGS RELATED TO OTHER CRIMINAL OFFENSES WHETHER THE PERSON SOUGHT MEDICAL ASSISTANCE FOR A PERSON EXPERIENCING AN OVERDOSE, TO LIMIT THE IMMUNITY TO ALLOW PROSECUTION OF A PERSON FOR OTHER CRIMES ARISING OUT OF THE DRUG OR ALCOHOL-RELATED OVERDOSE, TO ALLOW FOR ADMISSIBILITY OF CERTAIN EVIDENCE, TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR LAW ENFORCEMENT OFFICERS RELATING TO THE ARREST OF A PERSON LATER DETERMINED TO QUALIFY FOR LIMITED IMMUNITY, AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 502 -- Senators Courson, Setzler, J. Matthews, Hembree and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE SOUTH CAROLINA EDUCATION ASSOCIATION ON ITS MANY YEARS OF COMMITMENT TO QUALITY EDUCATION IN THE PUBLIC SCHOOLS AND TO CONGRATULATE THE ORGANIZATION AT THE CELEBRATION OF ITS FIFTY-YEAR ANNIVERSARY OF UNIFICATION.

Returned with concurrence.

Received as information.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 07, 2017, at 2:50 P.M. and the following Acts and Joint Resolutions were ratified:

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(R5, S. 263) -- Senators Peeler, Malloy, Alexander, Grooms, Campbell, Turner, Corbin, Gambrell, Martin and Rice: AN ACT 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.

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(R6, S. 457) -- Senator Fanning: AN ACT TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE FAIRFIELD COUNTY SCHOOL DISTRICT, SO AS TO ALLOW BOARD MEMBERS TO RECEIVE A MONTHLY STIPEND IN AN AMOUNT TO BE DETERMINED BY THE BOARD, AND TO REQUIRE ACTUAL ATTENDANCE AT A DULY CONSTITUTED BOARD MEETING IN ORDER TO RECEIVE THE MONTHLY STIPEND.

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(R7, H. 3677) -- Rep. Delleney: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 6 AND 16 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2017.

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

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

The following Bills and Resolutions were read the third time and ordered sent to the House of Representatives:

S. 79 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-220 SO AS TO DESIGNATE THE MONTH OF JULY OF EACH YEAR AS "FIBROID TUMOR AWARENESS MONTH" AND RAISE AWARENESS OF THE IMPACT UTERINE FIBROID TUMORS HAVE ON WOMEN'S HEALTH.

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S. 213 -- Senators Peeler, Alexander and Scott: A BILL TO AMEND CHAPTER 20, TITLE 2, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONJUDICIAL SCREENING AND ELECTION, SO AS TO CREATE THE COLLEGE AND UNIVERSITY TRUSTEE SCREENING COMMISSION TO CONSIDER THE QUALIFICATIONS OF CANDIDATES FOR TRUSTEES TO STATE-SUPPORTED COLLEGES AND UNIVERSITIES, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND TO PROVIDE FOR THE INVESTIGATIVE, NOMINATION, AND ELECTION PROCESSES.

S. 315 -- Senator Cromer: A BILL TO AMEND SECTION 38-75-470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HURRICANE, EARTHQUAKE, AND FIRE ADVISORY COMMITTEE, SO AS TO AUTHORIZE THE ADVISORY COMMITTEE TO ADDRESS THE MITIGATION OF PROPERTY LOSSES DUE TO FLOOD; TO AMEND SECTION 38-75-480, RELATING TO THE LOSS MITIGATION GRANT PROGRAM, SO AS TO ESTABLISH THAT GRANTS MAY BE MADE TO LOCAL GOVERNMENTS TO MITIGATE LOSSES AND PROVIDE TECHNICAL ASSISTANCE FOR THE DEVELOPMENT OF PROACTIVE HAZARD MITIGATION STRATEGIES AND TO ALLOW THE DEPARTMENT OF INSURANCE TO ACCEPT GRANTS IN AID FOR THE MITIGATION OF LOSSES FOR ELIGIBLE PROPERTIES; AND TO AMEND SECTION 38-75-485, RELATING TO THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM, SO AS TO ESTABLISH CERTAIN CRITERIA THAT A RESIDENTIAL PROPERTY MUST MEET IN ORDER TO BE ELIGIBLE FOR A NONMATCHING GRANT, TO PROHIBIT THE PROGRAM FROM ISSUING A GRANT FOR A RESIDENTIAL PROPERTY FROM EXCEEDING FIVE THOUSAND DOLLARS, TO ALLOW FOR MATCHING GRANT FUNDS TO BE MADE AVAILABLE TO LOCAL GOVERNMENTS AND NONPROFIT ENTITIES UNDER CERTAIN CIRCUMSTANCES, AND TO ESTABLISH A FORMULA FOR DETERMINING NONMATCHING GRANT AWARDS BASED ON AN APPLICANT'S HOUSEHOLD INCOME.

S. 340 -- Senator Sheheen: A BILL TO AMEND SECTION 1-3-230 OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF

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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.

S. 366 -- Senator Cromer: A BILL TO AMEND SECTION 37-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MORTGAGE LENDING DEFINITIONS, SO AS TO MAKE CERTAIN CHANGES AND DEFINE THE TERM "LOAN CORRESPONDENT"; TO AMEND SECTION 37-22-140, RELATING TO MORTGAGE LENDING LICENSE APPLICATIONS, SO AS TO REMOVE THE STATE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK REQUIREMENT, TO REQUIRE THREE HOURS OF PRELICENSING EDUCATION ON SOUTH CAROLINA LAWS AND REGULATIONS, TO ALLOW THE LICENSURE OF A PERSONAL RESIDENCE UNDER CERTAIN CIRCUMSTANCES, AND TO ALLOW FOR THE GRANT OF TRANSITIONAL LICENSES PURSUANT TO THE SAFE ACT; TO AMEND SECTION 37-22-150, RELATING TO EXPIRATION AND RENEWAL OF LICENSES, SO AS TO REMOVE REFERENCES TO A STATE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK; TO AMEND SECTION 37-22-160, RELATING TO CONTINUING PROFESSIONAL EDUCATION, SO AS TO REQUIRE AT LEAST ONE HOUR OF ANNUAL CONTINUING PROFESSIONAL EDUCATION ON SOUTH CAROLINA LAWS AND REGULATIONS; TO AMEND SECTION 37-22-190, RELATING TO PROHIBITED ACTIVITIES, SO AS TO REMOVE A REFERENCE TO THE SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; TO AMEND SECTION 37-22-210, RELATING TO THE COMMISSIONER'S RECORDS, SO AS TO UPDATE A REFERENCE; TO AMEND SECTION 37-22-240, RELATING TO CRIMINAL BACKGROUND CHECKS, SO AS TO REMOVE CERTAIN REQUIREMENTS AND TO AUTHORIZE THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES; TO AMEND SECTION 37-22-270, RELATING TO PARTICIPATION IN THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY, SO AS TO DELETE

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REFERENCES TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION; TO AMEND SECTION 37-23-75, RELATING TO LOAN DISCLOSURES, SO AS TO REQUIRE A LOAN ESTIMATE TO BE MADE UNDER THE TILA-RESPA INTEGRATED DISCLOSURE RULE, TO AMEND SECTION 40-58-20, RELATING TO DEFINITIONS CONCERNING THE LICENSING OF MORTGAGE BROKERS ACT, SO AS TO MAKE CERTAIN CHANGES AND DEFINE THE TERM "LOAN CORRESPONDENT"; TO AMEND SECTION 40-58-50, AS AMENDED, RELATING TO MORTGAGE BROKER LICENSE APPLICATIONS, SO AS TO REMOVE THE STATE CRIMINAL BACKGROUND CHECK REQUIREMENT, TO AUTHORIZE THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES, AND TO REQUIRE AT LEAST THREE HOURS OF PRELICENSING EDUCATION ON SOUTH CAROLINA LAWS AND REGULATIONS; TO AMEND SECTION 40-58-60, RELATING TO THE ISSUING OF A MORTGAGE BROKERS LICENSE, SO AS TO AUTHORIZE THE GRANT OF TRANSITIONAL LICENSES; TO AMEND SECTION 40-58-65, RELATING TO THE MAINTENANCE OF RECORDS, SO AS TO REMOVE CERTAIN PHYSICAL PRESENCE REQUIREMENTS; TO AMEND SECTION 40-58-67, RELATING TO CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS, SO AS TO REQUIRE AT LEAST ONE HOUR OF ANNUAL CONTINUING PROFESSIONAL EDUCATION ON SOUTH CAROLINA LAWS AND REGULATIONS; TO AMEND SECTION 40-58-110, RELATING TO LICENSE APPLICATIONS AND RENEWAL FEES, SO AS TO ALLOW FOR THE DEPARTMENT TO LICENSE A PERSONAL RESIDENCE UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 48-58-130, RELATING TO PARTICIPATION IN THE NATIONWIDE MORTGAGE LICENSING SYSTEM REGISTRY, SO AS TO DELETE REFERENCES TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION.

S. 421 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO GENERAL REGULATIONS; AND ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS

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REGULATION DOCUMENT NUMBER 4686, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 422 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4741, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 423 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO BOARD OF REGISTRATION FOR FORESTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4721, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 402 -- Senator Massey: A BILL TO AMEND SECTION 50-9-525(A) OF THE 1976 CODE, RELATING TO DISABILITY LICENSES FOR HUNTING AND FISHING, TO ALLOW RESIDENTS RECEIVING BENEFITS FROM A STATE RETIREMENT SYSTEM TO OBTAIN A THREE YEAR COMBINATION OR FISHING LICENSE AT NO COST.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (402R001.DR.GEC), which was adopted:

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

/SECTION 1. Section 50-9-525(A) of the 1976 Code is amended to read:

“Section 50-9-525. (A) A resident who is determined to be disabled and receiving benefits under a Social Security program, the Civil Service Retirement System, the South Carolina State Retirement System, a

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retirement system of another state, the Railroad Retirement Board, the Veterans Administration, or Medicaid, or their successor agencies or programs, may obtain a three year disability combination license or a three year disability fishing license at no cost. The license must be issued by the department from its designated offices and is valid for three years from the date of issue. Disability recertification is required for renewal. To recertify, an applicant must furnish proof, in the manner prescribed by the department, that he or she is currently receiving disability benefits and is a domiciled resident of this State. The department may waive the proof of disability benefit requirement for renewals where the resident is at least sixty-five years of age.”

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

Renumber sections to conform.

Amend title to conform.

Senator CAMPSen explained the Bill.

Senator CAMPSen explained the committee 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 0

AYES

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

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Total--38

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
READ THE SECOND TIME**

S. 443 -- Senators Campsen, Young, McElveen, Williams and Corbin: A BILL TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO NIGHT HUNTING AND HARASSMENT OF WILDLIFE, TO RESTRUCTURE THE EXISTING PROVISIONS THAT REGULATE NIGHT HUNTING, BY ADDING SECTION 50-11-705, TO PROVIDE THAT NIGHT HUNTING ANY ANIMAL EXCEPT DEER, BEAR, TURKEY, OR ANY ANIMAL LISTED IN SECTIONS 50-11-710 OR 50-11-715 IS UNLAWFUL, TO PROVIDE APPROPRIATE PENALTIES, TO PROVIDE THAT NIGHT HUNTING DEER, BEAR, OR TURKEY ON PROPERTY NOT REGISTERED WITH THE DEPARTMENT FOR NIGHT HUNTING FERAL HOGS, COYOTES, OR ARMADILLOS IS UNLAWFUL AND TO PROVIDE APPROPRIATE PENALTIES, TO PROVIDE THAT HUNTING DEER, BEAR, OR TURKEY ON PROPERTY REGISTERED WITH THE DEPARTMENT IS UNLAWFUL AND TO PROVIDE APPROPRIATE PENALTIES, AND TO PROVIDE THAT THE DISPLAY OR USE OF ARTIFICIAL LIGHT AT NIGHT ON PROPERTY NOT REGISTERED WITH THE DEPARTMENT FOR NIGHT HUNTING FERAL HOGS, COYOTES, OR ARMADILLOS, IN A MANNER CAPABLE OF DISCLOSING THE PRESENCE OF DEER, BEAR, OR TURKEY, TOGETHER WITH THE POSSESSION OF OR ACCESS TO A CENTERFIRE RIFLE AND AMMUNITION LARGER THAN CERTAIN WEAPONS, SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF NIGHT HUNTING DEER, BEAR, OR TURKEY; TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50 BY ADDING SECTION 50-11-715, TO PROVIDE THAT IT IS UNLAWFUL TO NIGHT HUNT FOR HOGS, COYOTES, OR

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ARMADILLOS, AND TO PROVIDE APPROPRIATE PENALTIES; TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50 BY ADDING SECTION 50-11-717, TO PROVIDE THAT THE USE OF ARTIFICIAL LIGHTS FOR THE PURPOSE OF OBSERVING OR HARASSING WILDLIFE IS UNLAWFUL, EXCEPT THAT A PROPERTY OWNER MAY USE ARTIFICIAL LIGHTS TO OBSERVE WILDLIFE PRIOR TO 11:00 P.M., AND TO PROVIDE OTHER APPROPRIATE USES OF ARTIFICIAL LIGHT; TO AMEND SECTION 50-11-710, TO PROVIDE THAT IT IS UNLAWFUL TO NIGHT HUNT FOR RACCOONS, OPOSSUMS, FOXES, MINKS, OR SKUNKS UNLESS OTHERWISE PROVIDED IN THIS SECTION AND TO PROVIDE APPROPRIATE PENALTIES; TO AMEND SECTIONS 50-11-740, 50-11-745(A), AND 50-9-1120(2)(b), TO ADD TURKEY TO THE LISTS THAT INCLUDE DEER OR BEAR; TO REPEAL SECTIONS 50-11-708 AND 50-11-720, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (443R001.DR.TRY), which was adopted:

Amend the bill, as and if amended, page 4, by striking line 1 and inserting:

/ Section 50-11-715. (A) It is unlawful to night hunt for feral hogs./

Amend the bill further, as and if amended, page 4, by striking line 14 and inserting:

/ dollars, be imprisoned for not more than thirty days, or both;/

Amend the bill further, as and if amended, page 4, by striking lines 30-43 and inserting:

/ Section 50-11-717. (A) The use of artificial lights for the purpose of observing or harassing wildlife is unlawful, except that a property owner, or person with permission from the property owner, may use artificial lights to observe wildlife prior to 11:00 p.m. This section does not prohibit:

(1) a property owner from using artificial lights for the purpose of protecting the property;

(2) a person or group, with permission of the property owner, from observing wildlife with the use of artificial lights, while engaged in research or documentary filming;

(3) a person from using artificial lights to night hunt pursuant to this article; or

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(4) a person from using remote trail monitors or cameras on a property.

(B) A person who violates this section, upon conviction, must be fined not more than one hundred dollars or be imprisoned for not more than thirty days.” /

Amend the bill further, as and if amended, page 5, by striking line 8 and inserting:

/ ~~(1)(B)~~ Raccoons, opossums, foxes, ~~mink~~ minks, and ~~skunk~~ skunks may be /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the Bill.

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 0

AYES

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

Total--38

NAYS

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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. 279 -- Senator Alexander: A BILL TO ENACT THE “APPRAISAL MANAGEMENT COMPANY REGISTRATION ACT” BY ADDING ARTICLE 3 TO CHAPTER 60, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, TO PROVIDE CERTAIN DEFINITIONS, TO REQUIRE REGISTRATION FOR AN ENTITY ACTING AS AN APPRAISAL MANAGEMENT COMPANY, TO SPECIFY REGISTRATION AND RENEWAL REQUIREMENTS, TO PROVIDE EXEMPTIONS FROM REGISTRATION, TO PROVIDE FOR THE CONDUCT OF APPRAISAL MANAGEMENT COMPANIES, AND TO PROVIDE REMEDIES FOR VIOLATIONS; TO AMEND SECTION 40-60-10(B), RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, TO PROVIDE FOR EIGHT MEMBERS TO INCLUDE ONE MEMBER REPRESENTING AN APPRAISAL MANAGEMENT COMPANY; AND TO REDESIGNATE CHAPTER 60, TITLE 40 AS “REAL ESTATE APPRAISERS AND APPRAISAL MANAGEMENT COMPANIES.”

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (279R001.DR.TCA), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 30-43 and inserting:

/ (12) authorization for the board to conduct a criminal background check of all controlling persons and any individual who owns ten percent or more of the appraisal management company; and

(13) certification that the person has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion, as required by the appraisal independence standards established under Section 129E of the Truth in Lending Act, 15 U.S.C. Section 1639e.

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(C) A change of an entity's name, address, organizational status, or federal identification number must be reported to the department within fifteen days. Failure to do so may result in registration cancellation and the requirement of the new entity to submit an initial application and meet all requirements for registration.

(D) The board shall review and approve or deny the registration of an appraisal management company. /

Amend the bill further, as and if amended, page 5, by striking lines 27-35 and inserting:

/ (4) an appraisal management company that maintains an appraiser panel that consists of:

(a) fifteen or fewer certified or licensed appraisers who are independent contractors in this State, or

(b) a total of twenty-four or fewer certified or licensed appraisers who are independent contractors in two or more states; and

(5) an appraisal management company that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency, except that each appraisal management company exempt from registration pursuant to this subsection shall comply with the requirements of Section 40-60-360(C). /

Amend the bill further, as and if amended, page 5, by striking lines 40-41 and inserting:

/ (B) To renew biennially, an entity actively registered under this article shall submit all information required by the board before June thirtieth, and the board shall review and renew or review and deny the renewal of the registration of an appraisal management company./

Amend the bill further, as and if amended, page 6, by striking lines 24-25 and inserting:

/ (C) The board shall collect the information and the national registry fees established by the Appraisal Subcommittee of the Federal Financial Institutions Examination Council pursuant to 12 U.S.C. Section 3338 and regulations adopted pursuant to it from each appraisal management company exempt from registration pursuant to Section 40-60-340(5).

(D) All appraisal management company national registry fees collected must be transferred to the appraisal subcommittee.

(E) The board shall adopt regulations regarding the determination of the size of the appraiser panel of an appraisal management company in accordance with the rules of the Appraisal Subcommittee of the Federal

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Financial Institutions Examination Council pursuant to 12 U.S.C. Section 3338. /

Amend the bill further, as and if amended, page 6 by striking lines 39-42 and inserting:

/ (B) For purposes of this section, each owner of more than ten percent of an appraisal management company shall submit to a criminal background check. /

Amend the bill further, as and if amended, page 10, by striking line 26 and inserting:

/consistent with the requirements of 15 U.S.C. Section 1639e and /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the Bill.

Senator HUTTO proposed the following amendment (AHB\279C002.BH.AHB17), which was adopted:

Amend the bill, as and if amended, page 12, by deleting lines 20-21 and inserting:

/ Section 40-60-520. A registration obtained pursuant to this chapter may not be denied solely because of a prior criminal conviction unless the criminal conviction directly relates to the profession or occupation./

Renumber sections to conform.

Amend title to conform.

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
Campbell	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson

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Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Shealy	Sheheen
Timmons	Turner	Verdin
Williams	Young	

Total--41

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
READ THE SECOND TIME**

S. 351 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3790 SO AS TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG351C004.BBM.DG17), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. A. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3790. (A)(1) Beginning after 2016, and ending after 2021, there is allowed an income tax credit for each clinical rotation a physician serves as the preceptor for a medical school required clinical rotation, advanced practice nursing program required clinical rotation, and physician assistant program required clinical rotation.

(2) If at least fifty percent of the physician’s practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is equal to one thousand dollars for each rotation served, not to exceed four thousand dollars a year.

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(3) If at least thirty percent of the physician's practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is equal to seven hundred fifty dollars for each rotation served, not to exceed three thousand dollars a year.

(4) If less than thirty percent of the physician's practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is disallowed.

(5) The credits allowed by this subsection are not cumulative and may not be combined.

(B)(1) Beginning after 2016 and ending after 2021, there is allowed an income tax credit for each clinical rotation an advanced practice registered nurse or physician assistant serves as the preceptor for an advanced practice nursing or physician assistant required clinical rotation.

(2) If at least fifty percent of the advanced practice registered nurse's or physician assistant's practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is equal to seven hundred fifty dollars for each rotation served, not to exceed three thousand dollars a year.

(3) If at least thirty percent of the advanced practice registered nurse's or physician assistant's practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is equal to five hundred dollars for each rotation served, not to exceed two thousand dollars a year.

(4) If less than thirty percent of the advance practice registered nurse's or physician assistant's practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is disallowed.

(5) The credits allowed by this subsection are not cumulative and may not be combined.

(C) A credit earned pursuant to this section is considered earned in the tax year in which the rotation is served. Fifty percent of the credit earned may be claimed in the tax year in which it is earned, and the remaining fifty percent may be claimed in the next tax year. However, the credit claimed in a tax year may not exceed fifty percent of the taxpayer's remaining tax liability after all other credits have been applied. Any unused credit may be carried over to the immediately succeeding taxable years, except that the credit carry-over may not be used for a taxable year that begins more than ten years from the year the credit was earned.

(D) Beginning after 2016, and ending after 2021, if a taxpayer earns the maximum annual credit amount allowed by this section, and the taxpayer serves additional rotations that otherwise would have qualified for the credit, then the taxpayer may claim a deduction in an amount equal to the amount that credit would have equaled. A taxpayer may earn the deduction allowed by this subsection up to six times a tax year.

(E) By March thirty-first of each year, the department shall report to the Senate Finance Committee, the House Ways and Means Committee, and the Governor the number of taxpayers claiming the credit allowed by this section, the total amount of credits allowed, and the number of hours the recipient taxpayers served as preceptors. The department must disaggregate taxpayers between physicians, advanced practice registered nurses, and physician assistants.

(F) The department may consult with a designated administrative entity to determine eligibility and may require any proof it determines necessary to efficiently administer the credit allowed by this section. The department may promulgate regulations necessary to implement the provisions of this section.

(G) For purposes of this section:

(1) 'Independent institution of higher learning' has the same meaning as provided in Section 59-113-50.

(2) 'Preceptor' means a physician, advanced practice nurse practitioner, or physician assistant who provides supervision and instruction during student clinical training experiences, is otherwise not compensated for doing so, and provides a minimum of two required clinical rotations within a calendar year.

(3) 'Medical school required clinical rotation', 'physician assistant program required clinical rotation', or 'advanced practice nursing program required clinical rotation' means a clinical rotation for a public teaching institution or independent institution of higher learning which:

(a) is established for a student who is enrolled in a South Carolina public teaching institution or an independent institution of higher learning:

- (i) medical school;
- (ii) physician assistant program; or
- (iii) advanced practice nursing program; and

(b) includes a minimum of one hundred sixty hours of instruction in one of the following clinical settings:

- (i) family medicine;
- (ii) internal medicine;

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(iii) pediatrics;
(iv) obstetrics and gynecology;
(v) emergency medicine;
(vi) psychiatry;
(vii) general surgery under the guidance of a physician, advanced practice registered nurse, or physician assistant.”

B. Section 12-6-1140 of the 1976 Code, as last amended by Act 165 of 2016, is amended further by adding an appropriately numbered item at the end to read:

“() (a) amounts earned pursuant to Section 12-6-3790(D) for each clinical rotation a physician serves as the preceptor for a medical school required clinical rotation, advanced practice nursing program required clinical rotation, and physician assistant program required clinical rotation.

(b) amounts earned pursuant to Section 12-6-3790(D) for each clinical rotation an advanced practice registered nurse or physician assistant serves as the preceptor for an advanced practice nursing or physician assistant required clinical rotation.” /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the Bill.

Senator MALLOY spoke on the Bill.

Senator KIMPSON spoke on the Bill.

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 39; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Hembree	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey

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<i>Matthews, John</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Shealy
Sheheen	Timmons	Turner
Verdin	Williams	Young

Total--39

NAYS

Matthews, Margie

Total--1

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

READ THE SECOND TIME

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 INJURY THAT OCCURS AS A RESULT OF A PARTY'S ELECTION TO RECEIVE A NOTICE OR DOCUMENT BY ELECTRONIC

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MEANS, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

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

Ayes 39; Nays 2

AYES

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

Total--39

NAYS

Kimpson	Sheheen
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Total--2

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

READ THE SECOND TIME

S. 484 -- Finance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF

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REVENUE, RELATING TO CIGARETTE TAXES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4702, 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 ALEXANDER explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 40; Nays 0

AYES

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

Total--40

NAYS

Total--0

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

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AMENDMENT PROPOSED, OBJECTION

S. 245 -- Senators Hutto and Hembree: A BILL TO AMEND SECTION 44-53-370, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DRUG OFFENSES, SO AS TO CONFORM THE LANGUAGE OF TRAFFICKING IN ILLEGAL DRUGS PROVISIONS, INCLUDING OPIATES AND HEROIN, TO THE LANGUAGE OF THE PROVISIONS CONCERNING POSSESSION AND DISTRIBUTION OF CERTAIN ILLEGAL DRUGS WHICH WOULD INCLUDE SYNTHETIC OPIATES, AMONG OTHER DRUGS.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0245.004), which was carried over:

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

/ SECTION __. Section 44-53-190(B) of the 1976 Code is amended to read:

“(B) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

1. Acetylmethadol
2. Allylprodine
3. Alphacetylmethadol
4. Alphameprodine
5. Alphamethadol
6. Benzethidine
7. Betacetylmethadol
8. Betameprodine
9. Betamethadol
10. Betaprodine
11. Clonitazene
12. Dextromoramide
13. [Deleted]
14. Diampromide
15. Diethylthiambutene
16. Dimenoxadol
17. Dimepheptanol
18. Dimethylthiambutene

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19. Dioxaphetyl butyrate
20. Dipipanone
21. Ethylmethylthiambutene
22. Etonitazene
23. Etoxeridine
24. Furethidine
25. Hydroxypethidine
26. Ketobemidone
27. Levomoramide
28. Levophenacymorphan
29. Morpheridine
30. Noracymethadol
31. Norlevorphanol
32. Normethadone
33. Norpipanone
34. Phenadoxone
35. Phenampromide
36. Phenomorphan
37. Phenoperidine
38. Piritramide
39. Proheptazine
40. Properidine
41. Racemoramide
42. Trimeperidine
43. Propiram
44. Difenoquin
45. Alfentanil
46. Tilidine
47. Alphamethylfentanyl (N-[1-(alpha-methyl-beta-phenyl)
ethyl-4-piperidyl] propionanilide;
1-(1-methyl-2-phenylethyl-4-(N-pro-panilido) piperidine).
48. Acetyl-alpha-methylfentanyl
49. Alpha-methylthiofentanyl
50. Beta-hydroxyfentanyl
51. Beta-hydroxy-3-methylfentanyl
52. 3-Methylfentanyl
53. 1-Methyl-4-phenyl-4-propionoxypiperidine (MPPP)
54. 3-Methylthiofentanyl
55. Para-Fluorofentanyl
56. 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine (PEPAP)

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57. Thiofentanyl.

58. N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl).

59. AH-7921 (Systematic IUPAC Name: 3,4-dichloro-N-[(1dimethylamino)cyclohexylmethyl]benzamide), including its isomers, esters, ethers, salts, and salts of isomers, esters and ethers.

60. Thiafentanil (4-(methoxycarbonyl)-4-(Npherynethoxyacetamido)-1-[2-(thienyl)ethyl]piperidine), including its isomers, esters, ethers, salts and salts of isomers, esters and ethers whenever the existences of such isomers, esters, ethers and salts is possible.

61. 3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other names: U-47700)—(9547), “PINK”)

62. N-(1- phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide (furanyl fentanyl).” /

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

/ SECTION __. Section 44-53-190(D) of the 1976 Code is amended to read:

“(D) Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

1. 3,4-methylenedioxy amphetamine
2. 5-methoxy-3,4-methylenedioxy amphetamine
3. 3,4-methylenedioxymethamphetamine (MDMA)
4. 3,4,5-trimethoxy amphetamine
5. Bufotenine
6. Diethyltryptamine (DET)
7. Dimethyltryptamine (DMT)
8. 4-methyl-2,5-dimethoxyamphetamine (STP)
9. Ibogaine
10. Lysergic acid diethylamide (LSD)
11. Marijuana
12. Mescaline
13. Peyote
14. N-ethyl-3-piperidyl benzilate
15. N-methyl-3-piperidyl benzilate

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16. Psilocybin
17. Psilocyn
18. Tetrahydrocannabinol (THC)
19. 2,5-dimethoxyamphetamine
20. 4-bromo-2,5-dimethoxyamphetamine
21. 4-Methoxyamphetamine
22. Thiophene analog of phencyclidine
23. Parahexyl

24. Synthetic cannabinoids.—Any material, compound, mixture, or preparation that is not listed as a controlled substance in Schedule I through V, is not an FDA-approved drug, and contains any quantity of the following substances, their salts, isomers (whether optical, positional, or geometric), homologues, and salts of isomers and homologues, unless specifically excepted, whenever the existence of these salts, isomers, homologues, and salts of isomers and homologues is possible within the specific chemical designation:

a. Naphthoylindoles. Any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Including, but not limited to, JWH-015, JWH-018, JWH-019, JWH-073, JWH-081, JWH-122, JWH-200, JWH-210, JWH-398, AM-2201, WIN 55-212, AM-2201 (C1 analog), AM-1220.

b. Naphthylmethylinindoles. Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

c. Naphthoylpyrroles. Any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Including, but not limited to, JWH-307, JWH-370, JWH-176.

d. Naphthylmethylindenes. Any compound containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.

e. Phenylacetylindoles. Any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Including, but not limited to, SR-18, RCS-8, JWH-203, JWH-250, JWH-251.

f. Cyclohexylphenols. Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent. Including, but not limited to, CP 47,497 (and homologues), cannabicyclohexanol, CP-55, 940.

g. Benzoylindoles. Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Including, but not limited to, AM-694, Pravadoline (WIN 48,098), RCS-4, AM-630, AM-1241, AM-2233.

h. 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo [1,2,3-de]-1, 4-benzoxazin-6-yl]-1-naphthalenylmethanone (WIN 55,212-2).

i. 9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol 7370 (HU-210, HU-211).

j. Adamantoylindoles. Any compound containing a 3-(1-adamantoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or

2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring system to any extent.

k. 4-[4-(1,1-dimethylheptyl)-2,6-dimethoxyphenyl]-6,6-dimethyl-bicyclo[3.1.1] hept-2-ene-2-methanol (HU-308).

l. (6aR,9R,10aR)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,8,9,10,10a-hexahydrobenzo [c]chromene-1,9-diol (HU-243, Canbisol).

m. 3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione (HU-331).

n. Indazole-3-carboxamides. Any compound containing an Indazole-3-carboxamide structure with substitution at the nitrogen atom of the indazole ring by alkyl, haloalkyl, halobenzyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (1-(N-methyl-2-piperidiny)methyl, (tetrahydro-2H-pyran-4-yl)methyl or (morpholinyl) ethyl group, whether or not further substituted in the indole ring to any extent. Including, but not limited, to AKB-48, AB-FUBINACA, AB-PINACA, ADB-FUBINACA, ADB-PINACA.

o. Indole -3-carboxamides. Any compound containing an Indole-3-carboxamide structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (1-(N-methyl-2-piperidiny)methyl, (tetrahydro-2H-pyran-4-yl)methyl or (morpholinyl) ethyl group, whether or not further substituted in the indole ring to any extent. Including, but not limited, to STS-135.

p. Indole - 3-ylcycloalkyl ketones. Any compound containing an Indole-3-ylcycloalkyl ketone structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (1-(N-methyl-2-piperidiny)methyl, (tetrahydro-2H-pyran-4-yl)methyl or (morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent or whether or not substituted at the cycloalkyl ring to any extent. Including, but not limited to, XLR-11, UR-144, A-834735, A-796260, AB-005.

q. 1-naphthalenyl[4-(pentylox)-1-naphthalenyl]-methanone (CB-13, CRA-13).

r. N-cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-undecanamide (CB-25).

s. N-cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-undecanamide (CB-52).

t. N-cyclopropyl-8-[3-(1,1-dimethylheptyl)-5-hydroxyphenoxy]-octanamide (CB-86).

u. Quinoliny-Indole Carboxylates. Any compound containing a quinoliny-indole-3-carboxylate structure with substitution of the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (1-(N-methyl-2-piperidiny)methyl, (tetrahydro-2H-pyran-4-yl)methyl or (morpholiny) ethyl group, whether or not further substituted in the indole ring or quinoliny structure to any extent. Including but not limited to PB-22, 5-F-PB-22.

v. Quolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22; QUPIC).

w. Quolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22).

x. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA).

y. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA).

25. Alpha-ethyltryptamine (alpha-ET).

26. Alpha-methyltryptamine (AMT).

27. 4-Bromo-2,5-dimethoxyphenethylamine (2C-B).

28. 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C).

29. Cyclohexamine (Ethanamine analog of phencyclidine, PCE).

30. 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine (2C-D).

31. 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine (2C-E).

32. 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H).

33. 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I).

34. 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N).

35. 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P).

36. 2-(4-ethylthio-2,5-dimethoxyphenyl) ethanamine (2C-T-2).

37. 2-(4-ethylthio-2,5-dimethoxyphenyl) ethanamine (2C-T-4).

38. 2,5-Dimethoxy-4-(n)propylthiophenethylamine (2C-T-7).

39. 2,5-Dimethoxy-4-ethylamphetamine (DOE).

40. 5-Iodo-2-aminoindane (5-IAI).

41. 3-Methoxy-4,5-methylenedioxyamphetamine (MMDA).

42. 5-Methoxy-N,N-Dimethyltryptamine (5-MeO-DMT).

43. 5-Methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT).

44. 3,4-Methylenedioxy-N-ethylamphetamine (MDEA).

45. Rolicyclidine (Pyrrolidine analog of phencyclidine, PHP, PCPy).

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46. Tenocyclidine(1-[1-(2-Thienyl)cyclohexyl]piperidine, TCP)
1-[1-(2-Thienyl)cyclohexyl]pyrrolidine (TCPy).

47. 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-
methoxybenzyl)ethanamine (25I-NBOMe; 2C-I- NBOMe; 25I; Cimbi-
5).

48. 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-
methoxybenzyl)ethanamine (25C-NBOMe; 2C-C-
NBOMe; 25C; Cimbi-82).

49. 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methox benzyl)
thanamine (25B-NBOMe; 2C-B- NBOMe; 25B; Cimbi-36).

50. 1- pentyl-1H-indol-3-yl)(2,2,3,3-
tetramethylcyclopropyl)methanone (UR-144).

51. 1-(5-fluoro-pentyl)-1H-indol- 3-yl)(2,2,3,3-
tetramethylcyclopropyl)methanone (5- fluoro-UR- 144; XLR1 1).

52. N-(1- adamantyl)-1-pentyl-1H-indazole-3- carboxamide
(APINACA, AKB48).

53. 5 (1, 1 Dimethylheptyl) 2 [(1R,3S) 3 hydroxycyclohexyl]
phenol, its optical, positional, and geometric isomers, salts and salts of
isomers 7297 (Other names: CP 47,497).

54. 5 (1,1 Dimethyloctyl) 2 [(1R,3S) 3 hydroxycyclohexyl]
phenol, its optical, positional, and geometric isomers, salts and salts of
isomers 7298 (Other names: cannabicyclohexanol and CP 47,497 C8
homologue).

55. 1 Butyl 3 (1 naphthoyl)indole, its optical, positional, and
geometric isomers, salts and salts of isomers 7173 (Other names: JWH
073).

56. 1 [2 (4 Morpholinyl)ethyl] 3 (1 naphthoyl)indole, its optical,
positional, and geometric isomers, salts and salts of isomers 7200 (Other
names: JWH 200).

57. 1 Pentyl 3 (1 naphthoyl)indole, its optical, positional, and
geometric isomers, salts and salts of isomers 7118 (Other names: JWH
018 and AM678).

58. 4 methyl N methylcathinone 1248 (Other names:
mephedrone).

59. 3,4 methylenedioxy Nmethylcathinone 7540 (Other names:
methylone).

60. 3,4 methylenedioxyprovalerone 7535 (Other names:
MDPV).” /

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

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/ SECTION __. Section 44-53-190(F) of the 1976 Code is amended to read:

“(F) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

- (1) Fenethylline;
- (2) N-ethylamphetamine;
- (3) Cathinone; or
- (4) Substituted Cathinones.

Any compound (not being bupropion) structurally derived from 2-amino-1-phenyl-1-propanone by modification in any of the following ways:

- (a) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
- (b) by substitution at the 3-position with an alkyl substituent;
- (c) by substitution at the nitrogen atom with alkyl or dialkyl groups, benzyl or methoxybenzyl groups; or
- (d) by inclusion of the nitrogen atom in a cyclic structure.

Including, but not limited to: Methylone, Mephedrone, 3,4-Methylenedioxypyrovalerone (MDPV), Butylone, Methedrone, 4-Methylethcathinone (4-MEC), Flephedrone, Pentylone, Pentedrone, Buphedrone, alpha-Pyrrolidinopentiophenone (alph-PVP), 4-methyl-alpha-pyrrolidinopropionphenone (4-MePPP), 4-Fluoro-Methylcathinone (4-FMC), 3-Fluoro-Methylcathinone (3-FMC), alpha-Pyrrolidinobutiophenone (alpha-PBP).

- (e) Aminorex.
- (f) 4-Methylaminorex (cis isomer).
- (g) N-Benzylpiperazine (BZP).
- (h) N,N-Dimethylamphetamine (Metrotonin).” /

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

/ SECTION __. Section 44-53-210 of the 1976 Code is amended to read:

“Section 44-53-210. (a) The controlled substances listed in this section are included in Schedule II.

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(b) Any of the following substances except those narcotic drugs listed in other schedules whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding Apomorphine, Nalbuphine, Naloxone, and Naltrexone, and their respective salts;

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium;

(3) Opium poppy and poppy straw;

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine.

(c) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, unless specifically excepted, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

1. Alphaprodine
2. Anileridine
3. Bezitramide
4. Dihydrocodeine
5. Diphenoxylate
6. Fentanyl
7. Isomethadone
8. Levomethorphan
9. Levorphanol
10. Metazocine
11. Methadone
12. Methadone - Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane
13. Moramide - Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid
14. Pentazocine (to be administered by injection only)
15. Pethidine (meperidine).

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| 16. Pethidine | - | Intermediate-A, |
| 4-cyano-1-methyl-4-phenyl-piperidine | | |
| 17. Pethidine | - | Intermediate-B, |
| ethyl-4-phenylpiperidine-4-carboxylate | | |
| 18. Pethidine | - | Intermediate-C, |
| 1-methyl-4-phenylpiperidine-4-carboxylic acid | | |
| 19. Phenazocine | | |
| 20. Piminodine | | |
| 21. Racemethorphan | | |
| 22. Racemorphan | | |
| 23. Dextropropoxyphene | [alpha-(+)-4-dimethylamino-1, | |
| 2-diphenyl-3-methyl-2-propionoxybutane], in bulk form. | | |
| 24. Sufentanil | | |
| <u>25. Alfentanil</u> | | |
| <u>26. 4-Anilino-N-phenethyl-4-piperidine</u> | | |
| <u>27. Dihydroetorphine</u> | | |
| <u>28. Diprenorphine</u> | | |
| <u>29. Levo-alphaacetylmethadol</u> | | |
| <u>30. Oripavine</u> | | |
| <u>31. Oxycodone</u> | | |
| <u>32. Remifentanil</u> | | |
| <u>33. Tapentadol</u> | | |
| <u>34. Thebaine</u> | | |

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

1. Amphetamine, its salts, optical isomers, and salts of its optical isomers.
2. Methamphetamine, its salts, and salts of isomers.
3. Phenmetrazine and its salts.
4. Methylphenidate.
5. Lisdexamfetamine

(e) ~~[Deleted]~~ Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

1. Nabilone

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(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

1. Amobarbital
2. Secobarbital
3. Pentobarbital
4. Phencyclidine
5. Phencyclidine immediate precursors:
 - (a) 1-phenylcyclohexylamine
 - (b) 1-piperidinocyclohexanecarbonitrile (PCC).

(g) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substance:

- (1) Immediate precursor to amphetamine and methamphetamine:
 - (i) Phenylacetone, also known as phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator HUTTO spoke on the amendment.

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

Senator MALLOY proposed the following amendment (JUD0245.006):

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

/ SECTION 1. Section 44-53-370(e)(3) of the 1976 Code is amended to read:

“(3) four grams or more of any ~~morphine, opium, salt, isomer, or salt of an isomer thereof, including heroin, as described in Section 44-53-190 or 44-53-210~~ controlled substance classified in Schedule I (b) and (c) which is a narcotic drug and in Schedule II which is a narcotic drug, not otherwise specifically provided for in Subsection 44-53-370(e), or four grams or more of any mixture containing any of these substances, is guilty of a felony which is known as ‘trafficking in illegal drugs’ and, upon conviction, must be punished as follows if the quantity involved is:

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(a) four grams or more, but less than fourteen grams:

1. for a first offense, a term of imprisonment of not ~~less than seven years nor more than twenty-five~~ twenty years, ~~no part of which may be suspended nor probation granted, and or~~ a fine of not more than fifty thousand dollars, or both;

2. for a second or subsequent offense, a ~~mandatory minimum~~ term of imprisonment of not more than twenty-five years, ~~no part of which may be suspended nor probation granted,~~ and a fine of one hundred thousand dollars;

(b) fourteen grams or more but less than twenty-eight grams, a ~~mandatory~~ term of imprisonment of not more than twenty-five years, ~~no part of which may be suspended nor probation granted,~~ and a fine of ~~two~~ one hundred thousand dollars, or both;

(c) twenty-eight grams or more, a ~~mandatory~~ term of imprisonment of not ~~less than twenty-five years nor~~ more than forty years, no part of which may be suspended nor probation granted, and a fine of two hundred thousand dollars, or both;"

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

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Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator HEMBREE spoke on the amendment.

Senator MALLOY objected to further consideration of the Bill.

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OBJECTION

S. 114 -- Senators Bennett and Senn: A BILL TO AMEND CHAPTERS 4 AND 6, TITLE 61, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-555 AND SECTION 61-6-2001, RELATING TO SPECIAL AND TEMPORARY PERMITS TO SELL ALCOHOLIC BEVERAGES AT CERTAIN EVENTS, SO AS TO ALLOW MANUFACTURERS OR PRODUCERS OF BEER, ALE, PORTER, WINE, OR ALCOHOLIC LIQUORS TO DONATE THEIR PRODUCTS AND FURNISH EQUIPMENT AND REPRESENTATIVES TO DISPENSE AND PROMOTE THEIR BEVERAGES TO QUALIFIED NONPROFIT ORGANIZATIONS THAT INTEND TO SELL THESE PRODUCTS AT PERMITTED EVENTS ORGANIZED TO RAISE FUNDS FOR THE NONPROFIT ORGANIZATION OR OTHER CHARITABLE PURPOSE.

Senator RANKIN objected to consideration of the Bill.

S. 262 -- Senator Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 31, TITLE 59 SO AS TO PROVIDE A TEXTBOOK POLICY FOR PUBLIC INSTITUTIONS OF HIGHER EDUCATION THAT IS INTENDED TO HELP MINIMIZE COLLEGE TEXTBOOK COSTS, TO DEFINE NECESSARY TERMINOLOGY, AND TO PROVIDE RELATED OBLIGATIONS OF THE COMMISSION ON HIGHER EDUCATION AND PUBLIC INSTITUTIONS OF HIGHER EDUCATION REGARDING THE DEVELOPMENT AND IMPLEMENTATION OF TEXTBOOK POLICIES, AMONG OTHER THINGS.

Senator HEMBREE objected to consideration of the Bill.

S. 275 -- Senator Bennett: A BILL TO AMEND SECTION 61-4-1515, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BREWERIES, SAMPLES AND SALES FOR ON- AND OFF-PREMISES CONSUMPTION, SO AS TO PROVIDE THAT A BREWERY BREWING AND SELLING BEER ON ITS LICENSED PREMISES IN THIS STATE MAY APPLY FOR A PERMIT TO SELL ALCOHOLIC LIQUOR BY THE DRINK FOR CONSUMPTION WITHIN A SPECIFIED AREA UNDER CERTAIN CONDITIONS, AND TO PROVIDE THAT A BREWPUB MAY APPLY FOR A BREWERY PERMIT PROVIDED THAT IT

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SURRENDERS ITS BREWPUB PERMIT AT THE TIME THE BREWERY PERMIT IS ISSUED.

Senator RANKIN objected to consideration of the Bill.

CARRIED OVER

S. 78 -- Senators Alexander, Goldfinch, Williams, McElveen and Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-3-220 SO AS TO PROVIDE THAT OFFICERS AND EMPLOYEES OF THE STATE OF SOUTH CAROLINA, OR ANY POLITICAL SUBDIVISIONS OR DEPARTMENTS OF THE STATE OF SOUTH CAROLINA, WHO ARE COMMISSIONED OR ENLISTED FOR SERVICE IN THE SOUTH CAROLINA STATE GUARD MUST BE ENTITLED TO MILITARY LEAVE WITHOUT LOSS OF PAY, SENIORITY, OR EFFICIENCY RATING, WHEN ATTENDING STATE GUARD ENCAMPMENT OR SCHOOLS FOR TRAINING, UNDER PROPER AUTHORITY, AND ON ALL OTHER OCCASIONS WHEN ORDERED TO ACTIVE DUTY IN THE SERVICE OF THE STATE OF SOUTH CAROLINA; TO AMEND SECTION 12-6-1140, AS AMENDED, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO REQUIRE A MEMBER OF THE STATE GUARD TO COMPLETE A MINIMUM OF ONE HUNDRED NINETY-TWO HOURS OF TRAINING OR DRILL EACH YEAR IN ORDER TO QUALIFY FOR THE DEDUCTION; TO AMEND SECTION 25-1-635, AS AMENDED, RELATING TO LEGAL ASSISTANCE SERVICES FOR GUARD MEMBERS AND IMMEDIATE FAMILY MEMBERS, SO AS TO AUTHORIZE SOUTH CAROLINA STATE GUARD JUDGE ADVOCATES TO PROVIDE THESE SERVICES AND TO INCLUDE THEM WITHIN THE PERSONAL LIABILITY EXEMPTION; TO AMEND SECTIONS 25-3-20 AND 25-3-130, BOTH RELATING TO THE GOVERNOR'S AUTHORITY TO CALL THE STATE GUARD INTO DUTY, SO AS TO CLARIFY THE CIRCUMSTANCES AUTHORIZING THE GOVERNOR TO CALL THE STATE GUARD INTO DUTY AND TO PROVIDE THAT CIRCUMSTANCES INVOLVING A NATURAL OR MANMADE DISASTER, EMERGENCY, OR EMERGENCY PREPAREDNESS MAY WARRANT CALLING THE STATE GUARD INTO SERVICE; AND TO AMEND SECTION 25-3-140, RELATING TO PAY OF STATE GUARD MEMBERS ON ACTIVE DUTY, SO AS TO PROVIDE

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THAT STATE GUARD MEMBERS MAY RECEIVE A DAILY STIPEND OR PER DIEM PAY FOR REASONABLE EXPENSES, OR BOTH, IF APPROVED BY THE ADJUTANT GENERAL.

Senator GOLDFINCH spoke on the Bill

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

S. 254 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "OWN RISK AND SOLVENCY ASSESSMENT ACT" BY ADDING ARTICLE 8 TO CHAPTER 13, TITLE 38 SO AS TO EXPRESS THE PURPOSE OF THIS ACT, TO DEFINE NECESSARY TERMS, TO REQUIRE AN INSURER TO MAINTAIN A RISK MANAGEMENT FRAMEWORK FOR CERTAIN PURPOSES, TO REQUIRE AN INSURER OR INSURANCE GROUP OF WHICH AN INSURER IS A MEMBER TO CONDUCT AN OWN RISK AND SOLVENCY ASSESSMENT (ORSA) ON NO LESS THAN AN ANNUAL BASIS, TO REQUIRE AN INSURER OR INSURANCE GROUP TO SUBMIT AN ORSA REPORT TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE AND TO DESCRIBE WHAT THE REPORT MUST CONTAIN, TO PROVIDE EXEMPTIONS FROM THE REPORTING PROVISIONS IN CERTAIN CIRCUMSTANCES AND TO ALLOW AN INSURER TO APPLY FOR A WAIVER UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH THAT THE ORSA REPORT BE PREPARED IN A MANNER CONSISTENT WITH THE ORSA GUIDANCE MANUAL, TO PROVIDE THAT ALL DOCUMENTS, MATERIALS, AND INFORMATION CREATED UNDER THE OWN RISK AND SOLVENCY ASSESSMENT ACT ARE CONFIDENTIAL, TO PROHIBIT THE DIRECTOR OR ANYONE WHO RECEIVES ORSA-RELATED INFORMATION FROM TESTIFYING IN A PRIVATE CIVIL ACTION CONCERNING THE CONFIDENTIAL INFORMATION, TO PERMIT THE DIRECTOR TO TAKE CERTAIN ACTIONS CONCERNING HIS REGULATORY DUTIES, TO PROVIDE A PENALTY FOR AN INSURER WHO FAILS TO FILE THE ORSA SUMMARY REPORT, AND TO SET AN EFFECTIVE DATE FOR THE PROVISIONS OF THIS ACT; AND TO AMEND SECTION 38-21-10, AS AMENDED, RELATING TO DEFINED TERMS FOR THE INSURANCE HOLDING COMPANY REGULATORY ACT, SO AS TO DEFINE THE TERM "SUPERVISORY COLLEGE".

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Senator BENNETT explained the Bill.

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

S. 485 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4730, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 486 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO FREE TUITION FOR RESIDENTS SIXTY YEARS OF AGE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4728, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

COMMITTEE AMENDMENT ADOPTED, ADOPTED

S. 414 -- Senator Shealy: A CONCURRENT RESOLUTION TO HONOR OUR SENIOR NUTRITION PROGRAMS, THE SENIORS THEY SERVE, AND THE VOLUNTEERS WHO CARE FOR THEM AND TO DECLARE MARCH 2017 AS "MARCH FOR MEALS MONTH" IN SOUTH CAROLINA.

The Senate proceeded to the consideration of the Resolution.

The Committee on Medical Affairs proposed the following amendment (CM\414C001.GT.CM17), which was adopted:

Amend the Concurrent Resolution, as and if amended on page 2, by striking lines 1 through 21 and inserting:

/ Whereas, the General Assembly is grateful for the excellent work of this and all such committed volunteer programs that seek to improve the nutrition of South Carolina's seniors. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That members of the South Carolina General Assembly, by this resolution, honor our senior nutrition programs, the seniors they serve,

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and the volunteers who care for them and declare March 2017 as “March for Meals Month” in South Carolina.

Be it further resolved that a copy of this resolution be provided to each Meals on Wheels Program in the State of South Carolina. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

There being no further amendments, the Resolution was adopted, ordered sent to the House.

COMMITTEE AMENDMENT ADOPTED, ADOPTED

H. 3355 -- Reps. Davis and Daning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAYS 6 AND 315 IN MONCK'S CORNER “JOHN TROUT MEMORIAL INTERSECTION” AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Senate proceeded to the consideration of the Resolution.

The Committee on Transportation proposed the following amendment (3355R001.DR.LKG), which was adopted:

Amend the concurrent resolution, as and if amended, page 2, by striking lines 16-20 and inserting:

/That members of the General Assembly request the Department of Transportation name the Main Street Extension, from Rembert C. Dennis Boulevard to U.S. Highway 52 in Moncks Corner, and S.C. Highway 6, from U.S. Highway 52 to Ranger Drive in Cross, the “John Trout Memorial Highway” and erect appropriate markers or signs along this highway containing this designation. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

There being no further amendments, the Resolution was adopted, ordered returned to the House.

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H. 3657 -- Reps. Stavrinakis, 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, 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, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME RACE STREET IN THE CITY OF CHARLESTON "FATHER NICHOLAS C. TRIVELAS MEMORIAL BOULEVARD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

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

MOTION FOR SPECIAL ORDER FAILED

S. 105 -- Senators Rankin, Goldfinch and Verdin: A BILL TO AMEND SECTION 1-23-600 OF THE 1976 CODE, RELATING TO HEARINGS AND PROCEEDINGS IN CONTESTED CASES IN THE ADMINISTRATIVE LAW COURT, TO PROVIDE THAT A STAY OF AN AGENCY ORDER REMAINS IN EFFECT FOR THIRTY DAYS, RATHER THAN FOR AN UNDETERMINED TERM, OR UNTIL AN ORDER HAS BEEN ISSUED REGARDING A PRELIMINARY INJUNCTION; TO REVISE THE PROCEDURE FOR STAYS CONCERNING THE REVOCATION, SUSPENSION, OR RENEWAL OF A LICENSE AND PAYMENT OF FINES; TO DELETE THE PROVISION THAT THE COURT SHALL LIFT THE

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STAY FOR GOOD CAUSE SHOWN OR IF NO IRREPARABLE HARM WILL OCCUR AND ALSO DELETE THE REQUIREMENT THAT A HEARING MUST BE HELD WITHIN THIRTY DAYS TO LIFT THE AUTOMATIC STAY OR FOR A DETERMINATION OF THE APPLICABILITY OF THE AUTOMATIC STAY; TO PROVIDE THAT ANY PRELIMINARY INJUNCTION ORDERED BY THE ADMINISTRATIVE LAW COURT MAY REQUIRE THE POSTING OF A BOND OR OTHER SUFFICIENT SECURITY; AND TO EXEMPT STATE AGENCIES FROM THE REQUIREMENT TO POST A BOND UNDER THIS SECTION.

Senator MASSEY moved that the Bill be made a Special Order.

Senator McELVEEN argued in opposition of the motion.

The question then was the motion to make the Bill a Special Order.

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

Ayes 25; Nays 15

AYES

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

Total--25

NAYS

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

Total--15

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Having failed to receive the necessary vote, the motion to make the Bill a Special Order failed.

MADE SPECIAL ORDER

S. 105 -- Senators Rankin, Goldfinch and Verdin: A BILL TO AMEND SECTION 1-23-600 OF THE 1976 CODE, RELATING TO HEARINGS AND PROCEEDINGS IN CONTESTED CASES IN THE ADMINISTRATIVE LAW COURT, TO PROVIDE THAT A STAY OF AN AGENCY ORDER REMAINS IN EFFECT FOR THIRTY DAYS, RATHER THAN FOR AN UNDETERMINED TERM, OR UNTIL AN ORDER HAS BEEN ISSUED REGARDING A PRELIMINARY INJUNCTION; TO REVISE THE PROCEDURE FOR STAYS CONCERNING THE REVOCATION, SUSPENSION, OR RENEWAL OF A LICENSE AND PAYMENT OF FINES; TO DELETE THE PROVISION THAT THE COURT SHALL LIFT THE STAY FOR GOOD CAUSE SHOWN OR IF NO IRREPARABLE HARM WILL OCCUR AND ALSO DELETE THE REQUIREMENT THAT A HEARING MUST BE HELD WITHIN THIRTY DAYS TO LIFT THE AUTOMATIC STAY OR FOR A DETERMINATION OF THE APPLICABILITY OF THE AUTOMATIC STAY; TO PROVIDE THAT ANY PRELIMINARY INJUNCTION ORDERED BY THE ADMINISTRATIVE LAW COURT MAY REQUIRE THE POSTING OF A BOND OR OTHER SUFFICIENT SECURITY; AND TO EXEMPT STATE AGENCIES FROM THE REQUIREMENT TO POST A BOND UNDER THIS SECTION.

On behalf of the Rules Committee, Senator MASSEY, as Chairman of the Committee on Rules, moved to make the Bill a Special Order pursuant to Rule 33B.

Motion Failed

Senator MARTIN moved that the Senate stand adjourned.

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

Ayes 16; Nays 23

AYES

Allen	Fanning	Hutto
Johnson	Kimpson	Malloy
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen

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McLeod
Sabb
Williams

Nicholson
Scott

Reese
Sheheen

Total--16

NAYS

Alexander
Campsen
Cromer
Goldfinch
Martin
Rankin
Shealy
Verdin

Bennett
Climer
Davis
Hembree
Massey
Rice
Timmons
Young

Campbell
Corbin
Gambrell
Leatherman
Peeler
Senn
Turner

Total--23

Having failed to receive the necessary votes, the Senate refused to stand adjourned.

The motion to make the Bill a Special Order was polled out of the Committee on Rules, as follows:

Polled 17; Ayes 9; Nays 7; Abstain 0; Not Voting 1

AYES

Massey
Gregory
Young

Cromer
Campsen
Grooms

Leatherman
Corbin
Hembree

Total--9

NAYS

Reese
Allen
Nicholson

Malloy
Kimpson

Scott
Sabb

Total--7

ABSTAIN

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Total--0

NOT VOTING

Martin

Total--1

The question then was the motion to set the Bill for Special Order.

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

Ayes 24; Nays 15

AYES

Alexander	Bennett	Campbell
Campsen	Climer	Corbin
Cromer	Davis	Gambrell
Goldfinch	Hembree	Hutto
Martin	Massey	Peeler
Rankin	Rice	Senn
Shealy	Timmons	Turner
Verdin	Williams	Young

Total--24

NAYS

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

Total--15

The Bill was made a Special Order.

MOTION TO SET FOR SPECIAL ORDER

S. 137 -- Senators Campsen, Hembree, Climer, Young, Turner and Fanning: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO

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DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, TO SERVE AT THE PLEASURE OF THE GOVERNOR BEGINNING IN JANUARY 2023, OR UPON A VACANCY IN THE OFFICE OF THE SUPERINTENDENT OF EDUCATION AFTER THE DATE OF THE RATIFICATION OF THIS AMENDMENT, WHICHEVER OCCURS FIRST, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE.

Senator MALLOY moved that the Resolution be made a Special Order.

Senator MASSEY moved that the Senate stand adjourned.

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

Ayes 26; Nays 13

AYES

Alexander	Bennett	Campbell
Campsen	Climer	Corbin
Cromer	Davis	Gambrell
Goldfinch	Gregory	Hembree
Hutto	Leatherman	Massey
Peeler	Rankin	Rice
Senn	Shealy	Sheheen
Timmons	Turner	Verdin
Williams	Young	

Total--26

NAYS

Allen	Fanning	Johnson
Kimpson	Malloy	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Reese	Sabb
Scott		

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Total--13

The Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators MARTIN, REESE, PEELER, ALEXANDER, ALLEN, BENNETT, CAMPBELL, CAMPSER, CLIMER, CORBIN, COURSON, CROMER, DAVIS, FANNING, GAMBRELL, GOLDFINCH, GREGORY, GROOMS, HEMBREE, HUTTO, JACKSON, JOHNSON, KIMPSON, LEATHERMAN, MALLOY, MASSEY, JOHN MATTHEWS, MARGIE BRIGHT MATTHEWS, McELVEEN, McLEOD, NICHOLSON, RANKIN, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, SHEHEEN, TIMMONS, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Franklin James Talley, Jr. of Moore, S.C. Mr. Talley was the father of our beloved Senator TALLEY. He played basketball and graduated from Wofford College and later became assistant coach for Wofford while teaching history at Dorman High School. Frank later worked over 20 years for Spartan Foods Systems, Inc. in construction until retirement. Mr. Talley was a parishioner of St. Paul the Apostle Catholic Church for 44 years where he coached youth sports and served on the Parish Council. His greatest joy was spending time with his grandchildren and attending their sporting events. Frank was a loving father and devoted grandfather who will be dearly missed.

and

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MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James Spann DuPre of Walhalla, S.C. Mr. DuPre played basketball and graduated from Appalachian State University. He later earned his master's degree from the University of Georgia. James was a teacher, counselor, coach and principal who later served as Superintendent of Oconee County School District and as a school board member. Mr. DuPre was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 4:22 P.M., on motion of Senator MALLOY, the Senate adjourned to meet tomorrow at 12:00 Noon.

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