

NO. 42

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, MARCH 21, 2017

**Tuesday, March 21, 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 51:11

“The Psalmist cried out to the Lord, saying: ‘Do not cast me away from your presence, and do not take your holy spirit from me.’”

Let us pray. Gracious God, sometimes we are so busy that we feel separated from You. Sometimes we are so grief stricken that we cannot feel Your presence. Sometimes we are so troubled with the burdens of life that we feel unworthy of Your grace.

You do not want us to live this way O God. You do not want us to grow old with empty hearts and meaningless lives. Your Word assures us that You love us and that You will never leave us or forsake us.

We pray, therefore, that You will slow us down Lord; open our hearts and minds to the strength that we receive from Your presence in our lives.

Bless the Senators and their staff with the joy that comes from knowing that Your indwelling spirit empowers them and renews them each day for the journey that lies ahead. In Your holy name we pray, Amen.

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

Point of Quorum

At 2:02 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Bennett	Campbell
Campsen	Climer	Corbin
Cromer	Davis	Fanning

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Gambrell	Goldfinch	Gregory
Leatherman	Martin	Massey
McLeod	Nicholson	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Local Appointments

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

James W. "Wesley" White, 152 Buckland Drive, Anderson, SC 29621

Initial Appointment, York County Natural Gas Authority, with the term to commence March 1, 2015, and to expire March 1, 2018

Rock Hill:

Gilmore S. Moore, Jr., 313 Bailey Avenue, Rock Hill, SC 29732 *VICE*
Larry L. Bigham

MESSAGE FROM THE PRESIDENT

March 17, 2017

The Honorable John Courson
South Carolina State Senate
L. Marion Gressette Building
Columbia, South Carolina 29201

HAND DELIVERED

Dear Senator Courson:

Having received a certified copy of the State Grand Jury's indictment, you are hereby suspended from the South Carolina Senate, in accordance with the provisions of the Ethics, Government Accountability, and Campaign Reform Act, effective immediately.

[SJ]

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The suspension will remain in effect, in accordance with Section 8-13-560, until these indictments are resolved.

Chapter 13 of Title 8 states in pertinent part:

“A member of the General Assembly who is indicted in a state court or a federal court for a crime that is a felony, a crime that involves moral turpitude, a crime that has a sentence of two or more years, or a crime that violates election laws must be suspended immediately without pay by the presiding officer of the House or Senate, as appropriate. The suspension remains in effect until the public official is acquitted, convicted, pleads guilty, or pleads nolo contendere. In the case of a conviction, the office must be declared vacant. In the event of an acquittal or dismissal of charges against the public official, he is entitled to reinstatement and back pay.”

I regret these unfortunate events and pray that these matters are resolved in a timely matter.

Sincerely,

Kevin L. Bryant

cc: Mr. Jeffrey S. Gossett
Clerk of the Senate

COMMUNICATION FROM THE CLERK

March 21, 2017

Members of the Senate:

Many Senators have asked how the indictments against, and suspension of, Senator John Courson will impact the work of the Senate Education Committee.

This suspension does not create a vacancy or otherwise remove him from office. However, according to the statute, Senator John Courson “may not participate in the business of his public office.”

Therefore, there is no vacancy which would cause, pursuant to Rule 19, another Senator to assume the chairmanship of the committee. Rather, the custom, practice, and precedent of the Senate is that the next most senior Senator in the majority party on the committee act in the absence of the chairman. Many of you will recall the period of time when Senator Glenn McConnell, then chairman of the Judiciary

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Committee, took an extended leave of absence due to illness. During that time, the next most senior member of the majority party, Senator Larry Martin, presided during the committee's meetings until his return.

Following that precedent, the next most senior member of the majority party on the Education Committee would be the presiding member, pending a final outcome of the indictments against Senator John Courson, and be responsible for the legislative decisions required to manage the responsibilities of the committee.

The Senate would continue in this manner until either Senator John Courson returns or there is a vacancy in that office.

Jeffrey S. Gossett
Clerk of the Senate

Doctor of the Day

Senator TURNER introduced Dr. C. Stephen Yarborough of Greenville, S.C., Doctor of the Day.

Leave of Absence

At 2:30 P.M., Senator McELVEEN requested a leave of absence for Senator KIMPSON for the day.

Leave of Absence

At 2:30 P.M., Senator GROOMS requested a leave of absence for Senator CAMPSEN for the day.

CO-SPONSORS ADDED

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

S. 488 Sen. Reese
S. 547 Sen. Grooms

RECALLED AND ADOPTED

H. 3917 -- Reps. J.E. Smith, Bedingfield, Forrester, G.M. Smith, Williams, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan,

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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, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Willis and Yow: A CONCURRENT RESOLUTION TO DECLARE TUESDAY, MARCH 21, 2017, "NATIONAL GUARD DAY" IN SOUTH CAROLINA AND TO RECOGNIZE AND HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

Senator SHEALY asked unanimous consent to make a motion to recall the Resolution from the General Committee.

The Resolution was recalled from the General Committee.

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

There was no objection.

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

The Resolution was adopted and ordered sent to the House.

RECALLED

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

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

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The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3661 -- Rep. Ott: A BILL TO AMEND SECTION 7-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CALHOUN COUNTY, SO AS TO DESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3803 -- Rep. Hayes: A BILL TO AMEND SECTION 7-7-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DILLON COUNTY, SO AS TO DESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Agriculture and Natural Resources.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 563 -- Senator Leatherman: A SENATE RESOLUTION TO CELEBRATE THE LIFE AND LEGACY OF MR. RALPH RAYMOND PORTER, JR. OF FLORENCE AND TO HONOR HIS MANY YEARS OF DEDICATED SERVICE TO THE PEE DEE AREA.

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The Senate Resolution was adopted.

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S. 564 -- Senator Grooms: A BILL TO AMEND SECTION 44-41-85 OF THE 1976 CODE, RELATING TO PARTIAL BIRTH ABORTIONS, TO PROHIBIT DISMEMBERMENT ABORTIONS AND TO DEFINE NECESSARY TERMS.

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

S. 565 -- Senator Grooms: A BILL TO AMEND SECTION 56-5-1535 OF THE 1976 CODE, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, TO DELETE THIS PROVISION, TO PROVIDE A DEFINITION FOR THE TERMS "HIGHWAY WORK ZONE" AND "HIGHWAY WORKER", TO CREATE THE OFFENSE OF "ENDANGERMENT OF A HIGHWAY WORKER", AND TO PROVIDE PENALTIES FOR THESE OFFENSES; TO AMEND SECTION 56-1-720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT "ENDANGERMENT OF A HIGHWAY WORKER" VIOLATIONS RANGE BETWEEN TWO AND SIX POINTS; AND TO REPEAL SECTION 56-5-1536, RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

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

S. 566 -- Senator Grooms: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO INCOME TAX CREDITS, BY ADDING SECTION 12-6-3785, TO PROVIDE THAT A TAXPAYER WITH A MOTOR VEHICLE REGISTERED IN THIS STATE IS ALLOWED A REFUNDABLE CREDIT AGAINST THE INCOME TAXES IMPOSED PURSUANT TO CHAPTER 6, TITLE 12 OF THE 1976 CODE IN AN AMOUNT UP TO ONE HUNDRED FIFTY PERCENT OF THE TAXPAYER'S EXPENDITURES ON VEHICLE MAINTENANCE DURING THE APPROPRIATE TAX YEAR.

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

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S. 567 -- Senator Sheheen: A BILL TO AMEND SECTION 41-18-30 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF AND EXCEPTIONS TO THE "SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE", TO EXCLUDE OPEN-WHEEL MOTORSPORT VEHICLES, KARTS, SUPERKARTS, GEARBOX OR SHIFTER KARTS, OR GO KARTS USED FOR RACING AT SPEEDS IN EXCESS OF FIFTY MILES PER HOUR.

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

S. 568 -- Senator Sabb: A BILL TO AMEND ACT 471 OF 2002, RELATING TO THE COMPOSITION OF THE WILLIAMSBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES, TO PROVIDE THAT THE BOARD SHALL INCLUDE TWO MEMBERS FROM THE COUNTY AT-LARGE, TO PROVIDE FOR THE MANNER OF INITIAL APPOINTMENT OF THE TWO AT-LARGE MEMBERS, TO PROVIDE FOR STAGGERED TERMS OF THE TWO AT-LARGE MEMBERS, AND TO CONFORM THE ADDITION OF TWO AT-LARGE MEMBERS TO THE ELECTION OF MEMBERS TO THE BOARD AND FILLING VACANCIES ON THE BOARD.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 569 -- Senator Shealy: A BILL TO AMEND SECTION 63-13-20(4) OF THE 1976 CODE, RELATING TO THE DEFINITION OF CHILDCARE FACILITIES, TO CLARIFY THE TYPES OF DAYTIME PROGRAMS AND DAY CAMPS TO WHICH THE DEFINITION APPLIES; TO AMEND SECTION 63-13-210, TO PROVIDE THAT THE OWNER OR OPERATOR OF A CHILDCARE CENTER, GROUP CHILDCARE HOME, OR FAMILY CHILDCARE HOME MUST CARRY LIABILITY INSURANCE; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 63 BY ADDING SECTION 63-13-220, TO PROHIBIT THE USE OF ABC VOUCHERS BY CERTAIN CHILDCARE FACILITIES AND TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE FUNDS ANNUALLY; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 63 BY ADDING SECTION 63-13-230, TO PROVIDE EMPLOYEE AND FACILITY REQUIREMENTS

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AND CONDITIONS; AND TO AMEND ARTICLE 3, CHAPTER 13, TITLE 63 BY ADDING SECTION 63-13-470, TO PROVIDE FOR LICENSING AND APPROVAL REQUIREMENTS FOR PRIVATE CHILDCARE CENTERS AND GROUP CHILDCARE HOMES.

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Read the first time and referred to the General Committee.

S. 570 -- Senator Massey: A BILL TO AMEND SECTION 46-33-90 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS FOR THE SHIPMENT AND SALE OF TREES, PLANTS, AND SHRUBS, TO PROVIDE A NURSERY REGISTRATION FEE SCHEDULE AND A NURSERY DEALER REGISTRATION FEE SCHEDULE AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-9-90(A), RELATING TO PENALTIES FOR VIOLATING THE CHAPTER ON THE STATE CROP PEST COMMISSION, TO PROVIDE THAT A PERSON VIOLATING THE CHAPTER OR CHAPTERS ASSIGNED TO THE COMMISSION IS GUILTY OF A MISDEMEANOR; TO AMEND SECTION 46-10-100(A), RELATING TO BOLL WEEVIL ERADICATION, TO PROVIDE THAT A PERSON WHO VIOLATES SECTION 46-10-60 OR WHO ALTERS, FORGES, COUNTERFEITS, OR USES WITHOUT AUTHORITY A CERTIFICATE, PERMIT, OR OTHER DOCUMENT PROVIDED FOR IN THE CHAPTER IS GUILTY OF A MISDEMEANOR; TO AMEND SECTION 46-13-180(1), RELATING TO PENALTIES FOR VIOLATING THE PESTICIDE CONTROL ACT, TO PROVIDE THAT ANY PERSON WHO WILLFULLY VIOLATES THE PROVISIONS OF THE CHAPTER ON THE PESTICIDE CONTROL ACT IS GUILTY OF A MISDEMEANOR; TO AMEND SECTION 46-15-100, RELATING TO AGRICULTURAL MARKETING GENERALLY, TO PROVIDE THAT ANY PERSON WHO VIOLATES PROVISIONS WITHIN THE BOUNDS OF ANY MARKET ESTABLISHED UNDER CHAPTER 15, TITLE 46 OR ARTICLE 1, CHAPTER 19, TITLE 46 IS GUILTY OF A MISDEMEANOR; TO AMEND SECTION 46-23-80, RELATING TO NOXIOUS WEEDS, TO PROVIDE THAT ANY PERSON WHO VIOLATES CHAPTER 23, TITLE 46 IS GUILTY OF A MISDEMEANOR; AND TO AMEND SECTION 46-49-70, RELATING TO THE SUPERVISION AND REGULATION OF MILK AND MILK PRODUCTS, TO PROVIDE THAT ANY PERSON

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VIOLATING CHAPTER 49, TITLE 46 IS GUILTY OF A MISDEMEANOR.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 571 -- Senator Shealy: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA, UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION, FOR CONGRESS TO CALL A CONVENTION OF THE STATES RESTRICTED TO PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION REGARDING CAMPAIGN FINANCE REFORM.

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The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

S. 572 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME RICHARD STREET IN RICHLAND COUNTY "DEACON JAMES KNOTTS STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET CONTAINING THIS DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 573 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LOWER RICHLAND HIGH SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2017 CLASS AAAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

H. 3652 -- Reps. Forrester, V. S. Moss, Clemons, Allison, Loftis, Burns, Chumley, Jefferson, Mack, Willis, Anderson, Ballentine, Duckworth, Henderson, D. C. Moss, Norman, Pitts, S. Rivers, Rutherford, Tallon, Elliott and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

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SECTION 11-35-3265 SO AS TO REQUIRE GOVERNMENTAL AGENCIES TO CONSIDER ALL PIPING MATERIALS FOR DETERMINING REQUIREMENTS FOR CERTAIN PROJECTS, TO PROVIDE PIPING MATERIALS THAT MEET SUCH REQUIREMENTS AND COMPLY WITH SOUND ENGINEERING PRACTICES MUST BE ALLOWED TO BE CONSIDERED IN RELATED PROCUREMENT BIDDING PROCESSES, AND TO PROVIDE THE PROVISIONS OF THIS SECTION DO NOT LIMIT THE DISCRETION OF GOVERNMENTAL AGENCIES FROM SELECTING PIPING MATERIALS FOR PROJECTS SUBJECT TO THE PROVISIONS OF THIS SECTION.

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

REPORTS OF STANDING COMMITTEE

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 201 -- Senators McElveen, Campbell, McLeod, Talley and Gregory: A BILL TO AMEND SECTION 56-1-140(A) OF THE 1976 CODE, RELATING TO DRIVER'S LICENSES, TO CHANGE THE VALIDITY OF A DRIVER'S LICENSE FROM TEN YEARS TO EIGHT YEARS TO COMPLY WITH THE REQUIREMENTS OF THE FEDERAL REAL ID ACT OF 2005; TO AMEND ARTICLE 1, CHAPTER 1, TITLE 56, RELATING TO GENERAL PROVISIONS FOR DRIVER'S LICENSES, BY ADDING SECTION 56-1-86 TO DIRECT THE GOVERNOR TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE REQUIREMENTS OF THE FEDERAL REAL ID ACT OF 2005; AND TO REPEAL SECTION 56-1-85, RELATING TO THE FEDERAL REAL ID ACT OF 2005.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 444 -- Senator Grooms: A BILL TO AMEND SECTION 56-1-10(15) AND 56-1-10(18) OF THE 1976 CODE, RELATING TO DRIVER'S LICENSE DEFINITIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE" AND PROVIDE THE DEFINITION AND TO UPDATE REFERENCES TO THE DEFINITION; TO AMEND SECTION 56-1-130(C), RELATING TO LICENSE EXAMINATIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND

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SECTION 56-3-20(30) AND 56-3-20(31), RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING DEFINITIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND SECTION 56-5-145, RELATING TO THE DEFINITION OF "AUTOMOTIVE THREE-WHEEL VEHICLE", TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND SECTION 56-5-155, RELATING TO THE DEFINITION OF "MOTORCYCLE THREE-WHEEL VEHICLE", TO UPDATE REFERENCES; AND TO AMEND SECTIONS 56-19-10(44) AND 56-19-10(45), RELATING TO DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE" AND UPDATE REFERENCES.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 488 -- Senators Grooms, Johnson, Campbell, Climer, Campsen, Peeler and Reese: A BILL TO AMEND SECTION 56-3-2320(A) OF THE 1976 CODE, RELATING TO MOTOR VEHICLE DEALERS' LICENSES AND DEMONSTRATION PLATES, TO PROVIDE THAT A DEALER LICENSE PLATE MAY BE USED BY A PERSON WHOSE VEHICLE IS BEING SERVICED OR REPAIRED BY THE DEALERSHIP, PROVIDED THE VEHICLE DISPLAYING THE LICENSE PLATE IS GIVEN TO THE PERSON BY THE DEALER AT NO CHARGE TO THE CONSUMER AND ONLY FOR THE DURATION OF THE SERVICE OR REPAIR, AND TO PROVIDE THAT A DEALER MAY BE ISSUED TWO PLATES FOR THE FIRST TWENTY VEHICLES SOLD DURING THE PRECEDING YEAR AND TWO ADDITIONAL PLATES FOR EACH FIFTEEN VEHICLES SOLD BEYOND THE INITIAL TWENTY DURING THE PRECEDING YEAR.

Ordered for consideration tomorrow.

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Message from the House

Columbia, S.C., March 21, 2017

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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 MONCKS CORNER "JOHN TROUT MEMORIAL INTERSECTION" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Very respectfully,

Speaker of the House

Received as information.

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. 543 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4624, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 544 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO MOTOR CLUB CERTIFICATE OF AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4708, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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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.

S. 116 -- Senators Rankin and Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-2-145, SO AS TO REQUIRE THAT A PERSON PERMITTED OR LICENSED TO SELL BEER, WINE, OR ALCOHOLIC LIQUORS FOR ON-PREMISES CONSUMPTION SHALL MAINTAIN LIABILITY INSURANCE WITH COVERAGE OF AT LEAST ONE MILLION DOLLARS DURING THE PERIOD OF THE PERMIT OR LICENSE.

S. 173 -- Senators Sheheen, Turner and Timmons: A BILL TO AMEND SECTION 23-23-10 OF THE 1976 CODE, RELATING TO THE PURPOSE OF THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, TO PROVIDE NEW DEFINITIONS; TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-23-55 TO PROVIDE THAT A CLASS 1-LE LAW ENFORCEMENT OFFICER MUST COMPLETE CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN MENTAL HEALTH OR ADDICTIVE DISORDERS; TO AMEND SECTION 23-23-80 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL IS AUTHORIZED TO ESTABLISH AND MAINTAIN A CRISIS INTERVENTION TRAINING CENTER AND TO GOVERN AND SUPERVISE CRISIS INTERVENTION TEAM TRAINING; TO AMEND TITLE 23 OF THE 1976 CODE, RELATING

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TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING CHAPTER 52 TO CREATE A CRISIS INTERVENTION TRAINING COUNCIL, TO PROVIDE FOR THE COUNCIL'S DUTIES, AND TO PROVIDE THAT EVERY COUNTY SHALL ESTABLISH AT LEAST ONE CRISIS INTERVENTION TEAM.

S. 359 -- Senator Cromer: A BILL TO AMEND SECTION 39-5-325, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNFAIR TRADE PRACTICES FOR MOTOR FUEL RETAILERS, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF CONSUMER AFFAIRS.

S. 404 -- Senators Campbell, Gregory, Reese, Williams and Climer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3378 SO AS TO ALLOW A TAX CREDIT TO AN AGRIBUSINESS OPERATION OR AN AGRICULTURAL PACKAGING OPERATION THAT INCREASES ITS PURCHASES OF AGRICULTURAL PRODUCTS WHICH HAVE BEEN CERTIFIED AS SOUTH CAROLINA GROWN, AND TO SPECIFY THE MANNER IN WHICH THE CREDIT IS ADMINISTERED; AND TO AMEND SECTION 12-10-80, RELATING TO THE JOBS DEVELOPMENT CREDIT, SO AS TO MAKE CERTAIN QUALIFYING SERVICE-RELATED FACILITIES ELIGIBLE FOR THE CREDIT.

REMOVED FROM CONSENT CALENDAR

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

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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.

On motion of Senator MARTIN, the Bill was moved to the Statewide Second Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 428 -- Senator Reese: A BILL TO AMEND SECTION 12-6-2295(A) OF THE 1976 CODE, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM TERMS "SALES" AND "GROSS RECEIPTS", TO PROVIDE THAT RECEIPTS FROM THE PROVISION OF DIRECT BROADCAST SATELLITE SERVICE ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG428C004.BBM.DG17), which was adopted:

Amend the bill, as and if amended, beginning on page 2, by striking line 37 through line 8 on page 3 and inserting:

/ (7) receipts from the provision of direct broadcast satellite service that are attributable to this State in pro rata proportion of

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the costs of performing the service, including the costs of acquiring programming distribution rights and constructing and maintaining distribution infrastructure, that the service provider incurs within this State. As used in this subsection, the term 'direct broadcast satellite service' means the distribution or broadcasting of programming or services by satellite directly to the subscriber's premises without the use of ground receiving or distribution equipment, except at the subscriber's premises or in the uplink process to the satellite."

SECTION 2. Section 12-14-60(G) of the 1976 Code is amended to read:

"(G) The credit allowed by this section for investments made after June 30, 1998, is limited to no more than five million dollars annually for an entity subject to the license tax as provided in Section 12-20-100."

SECTION 3. This act takes effect upon approval by the Governor and applies to all open tax periods excluding assessments under judicial review as of the date of the Governor's approval. /

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 37; Nays 0

AYES

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

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Total--37

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. 115 -- Senators Rankin and Hutto: A BILL TO AMEND TITLE 61, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, SO AS TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM; TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES; TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS; TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES; TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT; TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS; TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; AND TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS NECESSARY TO ESTABLISH, IMPLEMENT, AND ENFORCE THESE PROVISIONS.

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

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S. 199 -- Senators Bryant, Alexander, Shealy and Grooms: A BILL TO AMEND ARTICLE 21, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO REQUIRED STOPS FOR VEHICLES, BY ADDING A NEW SECTION, TO ALLOW THE DEPARTMENT OF PUBLIC SAFETY TO OBTAIN A CIVIL PENALTY CITATION AGAINST THE REGISTERED OWNER OF A VEHICLE VIOLATING SECTION 56-5-2770 AND TO PROVIDE A METHOD TO APPEAL THE CITATION.

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

OBJECTION

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

Senator MALLOY objected to consideration of the Bill.

S. 170 -- Senators Shealy and Hutto: A BILL TO AMEND ARTICLE 7, CHAPTER 5, TITLE 17, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF CORONERS AND MEDICAL EXAMINERS, BY ADDING SECTIONS 17-5-541 AND 17-5-542, SO AS TO PROVIDE THAT THE CORONER OF EACH COUNTY SHALL SCHEDULE A LOCAL CHILD FATALITY REVIEW TEAM TO PERFORM A REVIEW OF A CASE WHERE A CHILD UNDER THE AGE OF EIGHTEEN DIES IN THE COUNTY HE SERVES AND TO PROVIDE THE PURPOSE OF THE REVIEW TEAM; TO AMEND ARTICLE 3, CHAPTER 5, TITLE 17, RELATING TO CORONERS, BY ADDING SECTION 17-5-140, SO AS TO PROVIDE THAT FUNDS MUST BE DISBURSED TO THE COUNTIES EQUALLY TO PAY THE DULY ELECTED FULL-TIME CORONER OR OTHER RELATED PERSONNEL OR EQUIPMENT AND TO PROVIDE THAT EXCESS FUNDS MUST BE USED BY

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THE CORONERS TRAINING ADVISORY COMMITTEE TO PERFORM ITS DUTIES; AND TO AMEND SECTION 17-5-130, RELATING TO THE CORONERS TRAINING ADVISORY COMMITTEE, SO AS TO PROVIDE ADDITIONAL DUTIES.

Senator MALLOY objected to consideration of the Bill.

ADOPTED

S. 532 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 5, 2017, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING AN AT-LARGE MEMBER OF THE BOARD OF VISITORS OF THE CITADEL FOR A TERM TO EXPIRE JUNE 30, 2023; FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY FROM THE SECOND CONGRESSIONAL DISTRICT, SEAT 2, FOR A TERM TO EXPIRE JUNE 30, 2021; A MEMBER FROM THE FOURTH CONGRESSIONAL DISTRICT, SEAT 4, FOR A TERM TO EXPIRE JUNE 30, 2021; FROM THE SIXTH CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2021, AND AT-LARGE MEMBERS FROM SEATS 8, 10, 12, 14, AND 15, RESPECTIVELY, ALL FOR TERMS TO EXPIRE JUNE 30, 2021; FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON TO FILL THE TERM OF THE MEMBER FROM THE THIRD CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2020; FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FROM AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2018; FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERMS OF THE HEALTH PROFESSION MEMBERS FROM THE THIRD AND SIXTH CONGRESSIONAL DISTRICTS WHOSE TERMS WILL EXPIRE JUNE 30, 2018; FOR THE PURPOSE OF ELECTING AN AT-LARGE MEMBER FROM SEAT 8 FROM WINTHROP UNIVERSITY FOR A TERM TO EXPIRE JUNE 30, 2023; AND FOR THE PURPOSE OF ELECTING FOUR AT-LARGE MEMBERS OF

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THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, ALL FOR TERMS TO EXPIRE JUNE 30, 2021; AND FOR THE PURPOSE OF ELECTING AN AT-LARGE MEMBER OF THE LEGISLATIVE AUDIT COUNCIL PURSUANT TO SECTION 2-15-10 FROM AMONG THE CANDIDATES NOMINATED BY THE LEGISLATIVE AUDIT COUNCIL NOMINATING COMMITTEE PURSUANT TO SECTION 2-15-20, FOR A TERM TO EXPIRE ON JUNE 30, 2023.

The Resolution was adopted, ordered sent to the House.

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

MOTION ADOPTED

At 2:41 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

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

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

James W. "Wesley" White, 152 Buckland Drive, Anderson, SC 29621

Initial Appointment, York County Natural Gas Authority, with the term to commence March 1, 2015, and to expire March 1, 2018

Rock Hill:

Gilmore S. Moore, Jr., 313 Bailey Avenue, Rock Hill, SC 29732 *VICE*
Larry L. Bigham

ADJOURNMENT

At 2:43 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 12:00 Noon.

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