**NO. 44**

**JOURNAL**

**OF THE**

**SENATE**

**OF THE**

**STATE OF SOUTH CAROLINA**

****

**REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017**

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**THURSDAY, MARCH 23, 2017**

**Thursday, March 23, 2017**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Proverbs 13:12

“Hope deferred makes the heart sick, but when the desire comes, it is the tree of life.”

Let us pray. Gracious and loving God, all of us have experienced hope deferred and felt the resultant stabbing pain of disappointment in our hearts. We would like to think that our faith is so strong that we are invulnerable to disappointments.

It hurts, however, when our prayers for healing are not answered. It hurts when we experience a financial setback for no apparent reason. It hurts when we don’t get the goal that we have worked so hard to achieve.

Even in this Senate Chamber, hopes for success are easily damaged thus negating months of hard work.

The proper response is to turn to You O God in faith, knowing that in time You will work in and through us that we may discover Your grace and Your wisdom and the peace that passes all understanding.

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 11:03 A.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Bennett Climer

Corbin Davis Gambrell

Grooms Hutto Johnson

Kimpson Leatherman Malloy

Martin Massey McElveen

Nicholson Peeler Scott

Senn Setzler Shealy

Sheheen Talley Timmons

Turner Verdin Williams

Young

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2016, and to expire June 30, 2020

Banking:

F. Justin Strickland, 100 Sunset Boulevard, Apartment 1003, West Columbia, SC 29169

Referred to the Committee on Banking and Insurance.

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2017, and to expire March 15, 2023

7th Congressional District:

Kimberly H. Frederick, 110 North Oak Dr., Surfside Beach, SC 29575 *VICE* Marvin Stevenson

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2017, and to expire March 15, 2023

2nd Congressional District:

Norris G. Ashford, 437 North Royal Tower Drive, Irmo, SC 29063

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2014, and to expire June 30, 2018

3rd Congressional District:

William J. “Bill” D'Andrea, 101 Morgan Dr., Central, SC 29630 *VICE* Anthony Quinn Eubank (resigned)

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2017, and to expire May 31, 2020

Mortgage Lending:

Raymond M. Hammond, 218 Highhill Drive, Columbia, SC 29209 *VICE* Andrew S. Johnson

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2015, and to expire June 9, 2018

Proprietary Nursing Home Administrator:

Julius B. Kinney, Jr., 201 Middle Brooke Dr., Anderson, SC 29621

Referred to the Committee on Medical Affairs.

**REGULATIONS WITHDRAWN AND RESUBMITTED**

The following were received:

Document No. 4691

Agency: Department of Employment and Workforce

Chapter: 47

Statutory Authority: 1976 Code Sections 41-29-110 and 41-35-720

SUBJECT: Appeals to Appeal Tribunal

Received by Lieutenant Governor January 10, 2017

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 10, 2017

Withdrawn and Resubmitted March 22, 2017

Document No. 4692

Agency: Department of Employment and Workforce

Chapter: 47

Statutory Authority: 1976 Code Sections 4-29-110 and 41-35-720

SUBJECT: Appeals to the Appellate Panel

Received by Lieutenant Governor January 10, 2017

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 10, 2017

Withdrawn and Resubmitted March 22, 2017

**Doctor of the Day**

Senator SCOTT introduced Dr. Patricia Witherspoon of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

At 11:30 A.M., Senator CROMER requested a leave of absence for Senator CAMPSEN for the day.

**Leave of Absence**

At 11:46 A.M., Senator HEMBREE requested a leave of absence for Senator GOLDFINCH for the day.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 334 Sen. Kimpson

S. 565 Sen. Massey

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 577 -- Senator Alexander: A BILL TO AMEND CHAPTER 5, TITLE 39 OF THE 1976 CODE, RELATING TO UNFAIR TRADE PRACTICES, BY ADDING ARTICLE 7, TO ENACT THE "PYRAMID PROMOTIONAL SCHEME PROHIBITION ACT", TO PROVIDE THAT PYRAMID PROMOTIONAL SCHEMES CONSTITUTE UNFAIR TRADE PRACTICES UNDER THE SOUTH CAROLINA UNFAIR TRADE PRACTICES ACT AND TO PROVIDE NECESSARY DEFINITIONS; AND TO REPEAL SECTION 39-5-30, RELATING TO PYRAMID CLUBS AND SIMILAR OPERATIONS.

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

S. 578 -- Senators Talley and Rice: A BILL TO AMEND SECTION 2-1-180 OF THE 1976 CODE, RELATING TO THE MANDATORY SINE DIE ADJOURNMENT DATE OF THE GENERAL ASSEMBLY, TO PROVIDE AND ACCOUNT FOR A BIENNIAL STATE GENERAL APPROPRIATIONS ACT AND TO PROVIDE THAT, IN EVEN-NUMBERED YEARS, THE REGULAR ANNUAL SESSION OF THE GENERAL ASSEMBLY CAN BE EXTENDED IF A CONCURRENT RESOLUTION IS ADOPTED BY A TWO-THIRDS VOTE OF BOTH THE SENATE AND HOUSE OF REPRESENTATIVES NOT LATER THAN FIVE O'CLOCK P.M. ON THE SECOND THURSDAY IN APRIL; AND TO AMEND SECTION 2-7-60, RELATING TO THE GENERAL APPROPRIATIONS ACT, TO PROVIDE THAT, BEGINNING WITH THE 2019 SESSION FOR THE ENSUING TWO FISCAL YEARS, THE GENERAL ASSEMBLY SHALL ENACT A BIENNIAL STATE GENERAL APPROPRIATIONS ACT.

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

S. 579 -- Senators Alexander, Corbin, Gambrell, Climer, Campbell and Cromer: A BILL TO AMEND SECTION 6-9-5 OF THE 1976 CODE, RELATING TO PUBLIC POLICY FOR BUILDING CODES, TO PROVIDE THAT ALL STATE REGULATORY AGENCIES SHOULD ENFORCE THE SAME CODES UNLESS OTHERWISE MANDATED BY THE FEDERAL GOVERNMENT AND TO PROVIDE THE INTENT OF THE GENERAL ASSEMBLY; TO AMEND CHAPTER 9, TITLE 6 BY ADDING SECTIONS 6-9-8 AND 6-9-9, TO PROVIDE THAT ALL TECHNICAL REVIEW COMMITTEES SHALL BE COMPOSED OF INDIVIDUALS WITH CURRENT APPROPRIATE SOUTH CAROLINA STATE LICENSES, REGISTRATIONS, AND CERTIFICATIONS FOR THEIR POSITION WITHIN THE COMMITTEE; TO AMEND SECTION 6-9-10, RELATING TO THE ENFORCEMENT OF BUILDING CODES, TO PROVIDE THAT AGENCIES SHALL ENFORCE BUILDING CODES; TO AMEND SECTION 6-9-14, RELATING TO FEES AND PERMITS FOR WHEELCHAIR RAMPS, TO PROVIDE THAT A MUNICIPALITY OR COUNTY MAY NOT CHARGE A PERMIT FEE OR REQUIRE A PERMIT FOR A WHEELCHAIR ACCESS RAMP BUILT WITH MEDICARE OR MEDICAID DOLLARS AS LONG AS THE CONSTRUCTION IS PERFORMED, OVERSEEN, OR INSPECTED BY A SOUTH CAROLINA-RECOGNIZED CODE ENFORCEMENT OFFICER; TO AMEND SECTION 6-9-40, RELATING TO THE BUILDING CODE ADOPTION PROCEDURE, TO PROVIDE A TIMEFRAME IN WHICH THE COUNCIL IS AUTHORIZED TO REVIEW, ADOPT, MODIFY, AND PROMULGATE BUILDING CODES FOR RESIDENTIAL AND COMMERCIAL STRUCTURES, TO PROVIDE WHAT INFORMATION MUST BE INCLUDED IN A NOTICE OF INTENTION TO ADOPT OR MODIFY BUILDING CODES, AND TO UPDATE THE COMMITTEE RECOMMENDATION AND COUNCIL ADOPTION PROCEDURE; TO AMEND SECTION 6-9-50(A), RELATING TO ADOPTION BY REFERENCE OF NATIONALLY RECOGNIZED CODES AND STANDARDS, TO PROVIDE THAT THE COUNCIL MAY PROMULGATE VARYING CODE REQUIREMENTS FOR DIFFERING USES AND MAY USE THE REQUIREMENTS OF A NATIONALLY KNOWN CODE, A NATIONAL MODEL CODE, OR A NATIONALLY RECOGNIZED CODE AS GUIDANCE; TO AMEND SECTION 6-9-60, RELATING TO ADOPTION BY REFERENCE OF CERTAIN NATIONALLY RECOGNIZED CODES AND STANDARDS, TO PROVIDE THAT MUNICIPALITIES AND COUNTIES MAY ADOPT BY REFERENCE ONLY THE LATEST EDITIONS OF THE CODE APPROVED AND PROMULGATED BY THE COUNCIL; TO AMEND SECTION 6-9-63, RELATING TO THE SOUTH CAROLINA BUILDING CODES COUNCIL, TO UPDATE THE PRIMARY FUNCTION OF THE COUNCIL AND TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PROVIDE THE COUNCIL AND TECHNICAL REVIEW COMMITTEES WITH A PRINTED OR AN ELECTRONIC COPY OF THE RELEVANT CODES BEING ENFORCED OR REVIEWED BY THE COUNCIL AND THE COMMITTEE; TO AMEND SECTION 6-9-105(A), RELATING TO VARIATIONS BASED ON PHYSICAL OR CLIMATOLOGICAL CONDITIONS, TO PROVIDE THAT PROPOSED VARIATIONS AND MODIFICATIONS BY A MUNICIPALITY OR COUNTY MUST BE SUBMITTED TO AND APPROVED BY THE COUNCIL; AND TO REPEAL SECTION 6-9-55.

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

S. 580 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-19-820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PLACING CHILDREN IN AN ADULT JAIL, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; TO AMEND SECTION 63-19-1020, RELATING TO THE RIGHT OF CERTAIN PERSONS AND ENTITIES INJURED BY DELINQUENT ACTS OF A CHILD TO INSTITUTE LEGAL PROCEEDINGS AGAINST THE CHILD, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; TO AMEND SECTION 63-19-1440, AS AMENDED, RELATING TO COMMITMENT OF CERTAIN CHILDREN TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; TO AMEND SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE OF JUVENILES ADJUDICATED DELINQUENT BY THE DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-19-2050, AS AMENDED, RELATING TO EXPUNGEMENT OF CERTAIN COURT RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

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

H. 3034 -- Rep. Daning: A BILL TO AMEND SECTION 59-112-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELIGIBILITY FOR IN-STATE COLLEGE TUITION RATES OF VETERANS AND RELATED PERSONS COVERED BY CERTAIN FEDERAL EDUCATION ASSISTANCE PROGRAMS, SO AS TO ELIMINATE ENROLLMENT TIME LIMITS FOR THESE RELATED PERSONS.

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

H. 3352 -- Reps. W. Newton, Taylor, Norrell and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-23-665 SO AS TO CREATE THE OFFICE OF FREEDOM OF INFORMATION ACT REVIEW WITHIN THE ADMINISTRATIVE LAW COURT, AND TO PROVIDE FOR THE DUTIES AND FUNCTIONS OF THE OFFICE; TO AMEND SECTION 1-23-500, AS AMENDED, RELATING TO THE ADMINISTRATIVE LAW COURT, SO AS TO PROVIDE THE COURT, INCLUDING THE OFFICE OF FREEDOM OF INFORMATION ACT, IS CONSIDERED PART OF THE UNIFIED JUDICIAL SYSTEM FOR THE PURPOSES OF CERTAIN ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM STATUTES; TO AMEND SECTION 30-4-30, RELATING TO RIGHTS TO INSPECT PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE ELECTRONIC TRANSMISSIONS AMONG THE RECORD FORMATS AVAILABLE FOR INSPECTION, TO PROVIDE CERTAIN LIMITATIONS APPLICABLE TO PRISONERS, TO PROVIDE PUBLIC BODIES ARE NOT REQUIRED TO CREATE ELECTRONIC VERSIONS OF PUBLIC RECORDS TO FULFILL RECORDS REQUESTS, TO REVISE REQUIREMENTS CONCERNING FEES TO FULFILL RECORDS REQUESTS, AND TO REVISE THE MANNER FOR RESPONDING TO RECORDS REQUESTS; TO AMEND SECTION 30-4-40, AS AMENDED, RELATING TO MATTERS EXEMPT FROM DISCLOSURE IN THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE CERTAIN LAW ENFORCEMENT RECORDINGS; TO AMEND SECTION 30-4-50, RELATING TO CATEGORIES OF MATTERS DECLARED TO BE PUBLIC INFORMATION IN THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE LAW ENFORCEMENT VEHICLE MOUNTED VIDEO AND AUDIO RECORDINGS, AND TO PROVIDE THAT LAW ENFORCEMENT MAY APPLY FOR INJUNCTIVE RELIEF FROM THE CIRCUIT COURT IF THERE IS CLEAR AND CONVINCING EVIDENCE OF SPECIFIC HARM FROM THE RELEASE OF THE RECORDING; TO AMEND SECTION 30-4-100, RELATING TO EQUITABLE REMEDIES AVAILABLE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO REVISE THE AVAILABLE REMEDIES; TO AMEND SECTION 30-4-110, RELATING TO PENALTIES FOR VIOLATIONS OF THE FREEDOM OF INFORMATION ACT, SO AS TO REMOVE CRIMINAL PENALTIES, TO VEST EXCLUSIVE JURISDICTION OVER CASES ARISING FROM REQUESTS FOR RECORDS AND EXEMPTIONS FROM DISCLOSURE, TO PROVIDE EXCEPTIONS TO THIS JURISDICTION, TO PROVIDE RELATED PROCEDURES FOR PERSONS ALLEGING VIOLATIONS, TO PROVIDE REVISED REMEDIES AND RELIEF AVAILABLE FOR VIOLATIONS, AND TO PROVIDE A PROCESS FOR APPEALS; TO AMEND SECTION 30-2-50, RELATING TO THE PROHIBITION ON OBTAINING PERSONAL INFORMATION FROM A STATE AGENCY FOR COMMERCIAL SOLICITATION, SO AS TO EXTEND THE PROHIBITION TO INFORMATION OBTAINED FROM LOCAL GOVERNMENTS AND POLITICAL SUBDIVISIONS OF THE STATE; AND TO PROVIDE THAT THESE MEASURES TAKE EFFECT OCTOBER 1, 2017.

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

H. 3647 -- Reps. Sandifer, Clemmons, Bedingfield, Forrester, Rutherford, Duckworth, Ott, Williams, Atwater, McCravy, Erickson, Jefferson, King, Anderson, Simrill, Hixon, Bowers, Hewitt and Forrest: A BILL TO AMEND SECTION 27-32-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING VACATION TIME SHARING PLANS, SO AS TO DEFINE AND REDEFINE CERTAIN TERMS; TO AMEND SECTION 27-32-55, RELATING TO FEES FOR THE RESALE OF INTERESTS IN VACATION TIMESHARES, SO AS TO PROVIDE REQUIREMENTS OF RESALE VACATION TIMESHARE SERVICES AND PROVIDERS OF THESE SERVICES; AND TO AMEND SECTION 27-32-130, RELATING TO ENFORCEMENT AND IMPLEMENTATION PROVISIONS, SO AS TO MAKE THE PROVISIONS APPLICABLE TO VACATION TIME SHARING ASSOCIATIONS.

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

H. 4026 -- Reps. Kirby, 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, 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. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE MEMORY OF DR. RONALD E. MCNAIR, RENOWNED PHYSICIST AND ASTRONAUT WHO LOST HIS LIFE IN THE CHALLENGER SPACE SHUTTLE TRAGEDY, AND TO DECLARE OCTOBER 21, 2017, "DR. RONALD E. MCNAIR DAY" IN SOUTH CAROLINA.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 462 -- Senator Hembree: A BILL TO AMEND SECTION 59‑39‑100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM HIGH SCHOOL DIPLOMA FOR GRADUATES OF ACCREDITED SCHOOLS, SO AS TO REVISE THE REQUIREMENTS FOR OBTAINING DIPLOMAS, TO PROVIDE PERSONALIZED PATHWAYS FOR STUDENTS, TO PROVIDE STUDENTS’ COURSEWORK MUST BE ALIGNED WITH THEIR PERSONALIZED PATHWAYS AND BASED ON THEIR POSTSECONDARY PLANS, TO REQUIRE THE DEPARTMENT TO PROMULGATE REGULATIONS CONCERNING RELATED PROCEDURES, TO PROVIDE FOR THE DEVELOPMENT OF CRITERIA FOR UNIFORM STATE‑RECOGNIZED EMPLOYABILITY CREDENTIALS ALIGNED TO INDIVIDUALIZED GRADUATION PLANS AND PROGRAMS OF STUDY FOR STUDENTS POTENTIALLY UNABLE TO ACHIEVE SUCCESSFUL COMPLETION OF UNIFORM DIPLOMA PATHWAYS, TO REQUIRE THE DEPARTMENT TO MONITOR AND ANNUALLY REPORT THE NUMBER OF DIPLOMAS AND EMPLOYABILITY CREDENTIALS EARNED BY STUDENTS, AND TO MAKE THE PROVISIONS OF THIS ACT APPLICABLE BEGINNING WITH STUDENTS ENTERING THE NINTH GRADE FOR THE 2018‑2019 SCHOOL YEAR.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 3696 -- Reps. V.S. Moss, Yow, Hiott, Kirby, Ott, Atkinson, Hewitt, Burns, Chumley, Long, Duckworth and Hixon: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO TAKE CERTAIN MEASURES TO ENSURE THAT SCIENCE‑BASED DATA IS USED TO ASSESS IMPACTS ON AND THE REGULATION OF MODERN AGRICULTURAL TECHNOLOGIES TO INCLUDE, BUT TO NOT BE LIMITED TO, CROP PROTECTION CHEMISTRIES, GENETICALLY ENGINEERED OR ENHANCED TRAITS, AND NUTRIENTS, AND OPPOSE LEGISLATION OR REGULATORY ACTION THAT MAY RESULT IN UNNECESSARY RESTRICTIONS ON THE USE OF CERTAIN MODERN AGRICULTURAL TECHNOLOGIES.

Ordered for consideration tomorrow.

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

H. 3793 -- Reps. Crawford, Clemmons, Jordan, Johnson, Fry, Hardee, Bennett, Anderson, Alexander, Atkinson, Kirby, Crosby, Arrington, Sottile, McCoy, Daning, Duckworth, Hayes, Lowe, S. Rivers, Stavrinakis, Knight, Ryhal, Hewitt, Davis, Yow and Whipper: A BILL TO AMEND SECTION 59‑103‑15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSION AND GOALS OF INSTITUTIONS OF HIGHER LEARNING, SO AS TO AUTHORIZE CERTAIN DOCTORAL DEGREE PROGRAMS SO LONG AS STATE GENERAL FUNDS ARE NOT APPROPRIATED FOR THE OPERATIONS OF THE DEGREE PROGRAM.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Education submitted a favorable report on:

H. 3987 -- Reps. Allison, Alexander, 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, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson‑Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM FOR ITS OUTSTANDING CONTRIBUTIONS IN EDUCATING AND TRAINING OUR STATE’S WORKFORCE AND TO DECLARE APRIL 5, 2017, AS SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM DAY.

Ordered for consideration tomorrow.

**Appointments Reported**

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

**Statewide Appointments**

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

Received as information.

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

Received as information.

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

Received as information.

**Message from the House**

Columbia, S.C., March 22, 2017

Mr. President and Senators:

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

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

and has ordered the Bill enrolled for Ratification.

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 were read the third time and ordered sent to the House of Representatives:

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

S. 354 -- Senators Alexander and Verdin: A BILL TO AMEND SECTION 44‑7‑130 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE STATE CERTIFICATION OF NEED AND HEALTH FACILITIES LICENSURE ACT, TO DEFINE CRISIS STABILIZATION UNIT FACILITY; TO AMEND SECTION 44‑7‑170(A), RELATING TO THE APPLICABILITY OF THE CERTIFICATE OF NEED PROCESS TO CERTAIN PROJECTS, TO MAKE THE CERTIFICATE OF NEED PROCESS INAPPLICABLE TO CRISIS STABILIZATION UNIT FACILITIES; AND TO AMEND SECTION 44‑7‑260(A), RELATING TO REQUIREMENTS FOR LICENSURE FOR HEALTH FACILITIES, TO REQUIRE CRISIS STABILIZATION UNIT FACILITIES OBTAIN A LICENSE FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

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.

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.

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.

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.

**SECOND READING BILL**

S. 562 -- Senators McElveen and Johnson: A BILL TO AMEND SECTION 2(A) OF ACT 321 OF 2010, RELATING TO THE CONSOLIDATION OF THE SUMTER COUNTY SCHOOL DISTRICT, TO PROVIDE FOR TWO AT-LARGE MEMBERS OF THE SUMTER COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES; TO PROVIDE FOR THE INITIAL APPOINTMENT AND SUBSEQUENT ELECTION OF AT-LARGE SCHOOL BOARD MEMBERS; AND TO STAGGER THE TERMS OF THE AT-LARGE SCHOOL BOARD MEMBERS.

**S. 562--Ordered to a Third Reading**

On motion of Senator McELVEEN, with unanimous consent, S. 562 was ordered to receive a third reading on Friday, March 24, 2017.

**SECOND READING BILL**

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.

**S. 568--Ordered to a Third Reading**

On motion of Senator SABB, with unanimous consent, S. 568 was ordered to receive a third reading on Friday, March 24, 2017.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

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 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.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (444R001.DR.LKG), which was adopted:

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

/ SECTION 1. Section 56-1-10(15) of the 1976 Code is amended to read:

“(15) ~~‘Automotive three‑wheel vehicle’~~ ‘Autocycle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having ~~a bench seat for the use of the operator,~~ seating that does not require the operator to straddle or sit astride it and having an automotive type steering device, but excluding a tractor or motorcycle three‑wheel vehicle.”

SECTION 2. Section 56-1-10(18) of the 1976 Code is amended to read:

“(18) ‘Motorcycle three‑wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device but excluding a tractor or ~~automotive three‑wheel vehicle~~ autocycle.”

SECTION 3. Section 56-1-130(C) of the 1976 Code is amended to read:

“(C)(1) A basic driver’s license authorizes the licensee to operate motor vehicles, ~~automotive three‑wheel vehicles~~ autocycles, motorcycle three‑wheel vehicles, excluding a motorcycle with a detachable side car, or combinations of vehicles which do not exceed twenty‑six thousand pounds gross vehicle weight rating; provided, that the driver has successfully demonstrated the ability to exercise ordinary and reasonable control in the operation of a motor vehicle in this category. A basic driver’s license also authorizes the licensee to operate farm trucks provided for in Sections 56‑3‑670, 56‑3‑680, and 56‑3‑690, which are used exclusively by the owner for agricultural, horticultural, and dairying operations or livestock and poultry raising. Notwithstanding another provision of law, the holder of a conditional license, or special restricted license operating a farm truck for the purposes provided in this subsection, may operate the farm truck without an accompanying adult after six o’clock a.m. and no later than nine o’clock p.m., but may not operate a farm truck on a freeway. A person operating a farm truck while holding a conditional driver’s license or a special restricted license may not use the farm truck for ordinary domestic purposes or general transportation.

(2) A classified driver’s license shall authorize the licensee to operate a motorcycle, motorcycle three‑wheel vehicle, including a motorcycle with a detachable side car, or those vehicles in excess of twenty‑six thousand pounds gross vehicle weight rating which are indicated by endorsement on the license. The endorsement may include classifications such as: motorcycle, two‑axle truck, three‑ or more axle truck, combination of vehicles, motor busses, or oversize or overweight vehicles. The department shall determine from the driving demonstration the endorsements to be indicated on the license.”

SECTION 4. Section 56-3-20(30) of the 1976 Code is amended to read:

“(30) ~~‘Automotive three‑wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor or motorcycle three‑wheel vehicle.~~ Reserved.”

SECTION 5. Section 56-3-20(31) of the 1976 Code is amended to read:

“(31) ~~‘Motorcycle three‑wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device, but excluding a tractor or automotive three‑wheel vehicle.~~ Reserved.”

SECTION 6. Section 56-19-10(44) of the 1976 Code is amended to read:

“(44) ~~‘Automotive three‑wheel vehicle’ means a motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor and a motorcycle three‑wheel vehicle.~~ Reserved.”

SECTION 7. Section 56-19-10(45) of the 1976 Code is amended to read:

“(45) ~~‘Motorcycle three‑wheel vehicle’ means a motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and handlebars or a motorcycle type steering device, but excluding a tractor or automotive three‑wheel vehicle.~~ Reserved.”

SECTION 8. Sections 56-5-145 and 56-5-155 of the 1976 Code are repealed.

SECTION 9. This act takes effect six months after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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 39; Nays 0**

**AYES**

Alexander Allen Bennett

Campbell Climer Corbin

Cromer Davis Fanning

Gambrell Gregory Grooms

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy Martin Massey

*Matthews, Margie* McElveen McLeod

Peeler Reese Rice

Sabb Scott Senn

Setzler Shealy Sheheen

Talley Timmons Turner

Verdin Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

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.

The Senate proceeded to a consideration of 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 0**

**AYES**

Alexander Allen Bennett

Campbell Climer Corbin

Cromer Davis Fanning

Gambrell Gregory Grooms

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy Martin Massey

*Matthews, Margie* McElveen McLeod

Peeler Reese Rice

Sabb Scott Senn

Setzler Shealy Sheheen

Talley Timmons Turner

Verdin Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

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.

The Senate proceeded to a consideration of 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 0**

**AYES**

Alexander Allen Bennett

Campbell Climer Corbin

Cromer Davis Fanning

Gambrell Gregory Grooms

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy Martin Massey

*Matthews, Margie* McElveen McLeod

Peeler Reese Rice

Sabb Scott Senn

Setzler Shealy Sheheen

Talley Timmons Turner

Verdin Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

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.

The Senate proceeded to a consideration of 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 0**

**AYES**

Alexander Allen Bennett

Campbell Climer Corbin

Cromer Davis Fanning

Gambrell Gregory Grooms

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy Martin Massey

*Matthews, Margie* McElveen McLeod

Peeler Reese Rice

Sabb Scott Senn

Setzler Shealy Sheheen

Talley Timmons Turner

Verdin Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 9 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑71‑380 SO AS TO PROVIDE THAT THE OPTIONAL INTOXICANTS AND NARCOTICS EXCLUSION PROVISION CONTAINED IN CERTAIN INSURANCE POLICIES THAT REQUIRE THE REPLICATION OF EXACT LANGUAGE AS PROVIDED IN SECTION 38‑71‑370 DOES NOT APPLY TO A MEDICAL EXPENSE POLICY, AND TO DEFINE MEDICAL EXPENSE POLICY.

The Senate proceeded to the consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (CZ\9C002.NBD.CZ17), which was adopted:

Amend the bill, as and if amended, by striking Section 1 in its entirety and inserting:

/ SECTION 1. Subarticle 1, Article 3, Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38‑71‑380. (A) For purposes of this section, ‘medical expense policy’ means an accident and sickness insurance policy that provides hospital, medical, and surgical expense coverage.

(B) The provisions of Section 38‑71‑370(9) may not be used with respect to a medical expense policy.

(C) This section applies to policies issued or renewed after December 31, 2017.” /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the committee amendment.

Senator BENNETT explained the Bill.

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 Allen Bennett

Campbell Climer Corbin

Cromer Davis Fanning

Gambrell Gregory Grooms

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy Martin Massey

*Matthews, Margie* McElveen Nicholson

Peeler Reese Rice

Sabb Scott Senn

Setzler Shealy Talley

Timmons Turner Williams

Young

**Total--37**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**AMENDED, READ THE SECOND TIME**

S. 271 -- Senator Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑220 SO AS TO ESTABLISH A PROCEDURE TO ALLOW AN INMATE WHO THE DEPARTMENT HAS DETERMINED IS NOT A SECURITY RISK AND CONFINED IN A DEPARTMENT OF CORRECTIONS’ FACILITY TO ATTEND THE FUNERAL SERVICE OF CERTAIN INDIVIDUALS AND VISIT CERTAIN INDIVIDUALS WHILE THEY ARE HOSPITALIZED, AND TO PROVIDE FOR THE TRANSPORTATION OF THE INMATE; AND TO AMEND SECTION 24‑3‑210, RELATING TO FURLOUGHS FOR QUALIFIED INMATES, SO AS TO DELETE THE PROVISION THAT ALLOWS AN INMATE TO ATTEND THE FUNERAL OF CERTAIN PERSONS.

The Senate proceeded to the consideration of the Bill.

The Committee on Corrections and Penology proposed the following amendment (271R001.DR.SRM), which was adopted:

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

/SECTION 1. Article 1, Chapter 3, Title 24 of the 1976 Code is amended by adding:

“Section 24‑3‑220. (A) Notwithstanding another provision of law, when the parent or parent substitute identified on an inmate’s visitation list, sibling, spouse, child, grandparent, or grandchild of an inmate becomes seriously ill to the point of imminent death, or dies, and when the department has determined that there is no security risk to the public or institution, an inmate must be offered the choice either to attend the person’s viewing or funeral service or, prior to the person’s death, to visit the person in the hospital. The location of the viewing, funeral, or hospital visit must be in South Carolina.

(B) The department must verify the person’s relationship to the inmate and the person’s illness or death.

(C) The department shall provide the necessary security and transportation for the inmate. The department also may engage the services of the sheriff of the county in which the funeral service or hospital visit is located, in order to provide the necessary security and transportation for the inmate. The department or sheriff may collect the actual cost for security and transportation. The charge may not exceed the actual expense incurred by the department or sheriff. The charge must be collected in advance from a third party on behalf of the inmate or, if no third party pays, through a deduction from the inmate’s trust account.

(D) When applicable, the department shall notify the victim of the crime, of which the inmate was convicted or adjudicated guilty of committing, or the relatives of the victim who have applied for notification, as provided in Section 16-3-1530.” /

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the committee amendment.

The amendment was adopted.

Senator SHEALY proposed the following amendment (271R005.DR.KS), which was adopted:

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

/ SECTION 1. Article 1, Chapter 3, Title 24 of the 1976 Code is amended by adding:

“Section 24‑3‑220. (A) Notwithstanding another provision of law, when the parent or parent substitute identified on an inmate’s visitation list, sibling, spouse, child, grandparent, or grandchild of an inmate becomes seriously ill to the point of imminent death, or dies, and when the department has determined that there is no security risk to the public or institution, an inmate must be offered the choice either to attend the person’s viewing or funeral service or, prior to the person’s death, to visit the person in the hospital. The location of the viewing, funeral, or hospital visit must be in South Carolina.

(B) The department must verify the person’s relationship to the inmate and the person’s illness or death.

(C) The department shall provide the necessary security and transportation for the inmate. The department also may engage the services of the sheriff or any other certified law enforcement officer in order to provide the necessary security and transportation for the inmate. The department, sheriff, or other certified law enforcement officer that provides security and transportation for the inmate may collect the actual cost for security and transportation. The charge may not exceed the actual expense incurred by the department, sheriff, or other law enforcement agency. The charge must be collected in advance from a third party on behalf of the inmate or, if no third party pays, through a deduction from the inmate’s trust account.

(D) When applicable, the department shall notify the victim of the crime of which the inmate was convicted, or adjudicated guilty of committing, and notify the relatives of the victim who have applied for notification, as provided in Section 16-3-1530.” /

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Allen Bennett

Campbell Climer Corbin

Cromer Davis Fanning

Gambrell Gregory Grooms

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy Martin Massey

*Matthews, Margie* McElveen Nicholson

Peeler Reese Rice

Sabb Scott Senn

Setzler Shealy Talley

Timmons Turner Williams

Young

**Total--37**

**NAYS**

**Total--0**

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

**S. 271--Ordered to a Third Reading**

On motion of Senator SCOTT, with unanimous consent, S. 271 was ordered to receive a third reading on Friday, March 24, 2017.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3438 -- Reps. Henderson, G.M. Smith, Sandifer, Hiott, Loftis and Robinson‑Simpson: A BILL TO AMEND SECTION 39‑24‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE DRUG PRODUCT SELECTION ACT, SO AS TO CHANGE THE DEFINITION OF “SUBSTITUTE” TO INCLUDE INTERCHANGEABLE BIOLOGICAL PRODUCTS; TO AMEND SECTION 39‑24‑30, RELATING TO THE SUBSTITUTION OF EQUIVALENT DRUGS, SO AS TO ALLOW A PHARMACIST TO SUBSTITUTE AN INTERCHANGEABLE BIOLOGICAL PRODUCT FOR A SPECIFIC BIOLOGICAL PRODUCT; TO AMEND SECTION 39‑24‑40, AS AMENDED, RELATING TO THE SUBSTITUTION OF PRESCRIPTIONS BY PHARMACISTS, SO AS TO ALLOW PHARMACISTS TO SUBSTITUTE INTERCHANGEABLE BIOLOGICAL PRODUCTS WHEN APPROPRIATE; TO AMEND SECTION 40‑43‑30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO ADD DEFINITIONS FOR “BIOLOGICAL PRODUCT” AND “INTERCHANGEABLE”; AND TO AMEND SECTION 40‑43‑86, RELATING IN PART TO LABEL REQUIREMENTS FOR PRESCRIPTIONS, SO AS TO INCLUDE INTERCHANGEABLE BIOLOGICAL PRODUCTS AND LIMIT USE OF INTERCHANGEABLE BIOLOGICAL PRODUCTS NOT APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION, TO REQUIRE PHARMACIES TO KEEP RECORDS OF DISPENSED BIOLOGICAL PRODUCTS, TO REQUIRE THE BOARD OF PHARMACY TO HAVE A DATABASE OF ALL APPROVED BIOLOGICAL PRODUCTS, AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (VR\3438C001.CC.VR17), which was adopted:

Amend the bill, as and if amended, SECTION 5, Section 40-43-86(H), page 14, lines 26-29, by deleting item (8).

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

Senator CAMPBELL explained the Bill.

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 Allen Bennett

Campbell Climer Corbin

Cromer Davis Fanning

Gambrell Gregory Grooms

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy Martin Massey

*Matthews, Margie* McElveen Nicholson

Peeler Reese Rice

Sabb Scott Senn

Setzler Shealy Talley

Timmons Turner Williams

Young

**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. 261 -- Senator Alexander: A BILL TO AMEND TITLE 6 OF THE 1976 CODE, RELATING TO LOCAL GOVERNMENTS, BY ADDING CHAPTER 39, TO ENACT THE SOUTH CAROLINA COMMERCIAL-PROPERTY ASSESSED CLEAN ENERGY ACT (C-PACE), TO PROVIDE THAT GOVERNING BODIES MAY ESTABLISH A DISTRICT BY ADOPTION OF AN ORDINANCE FOR THE PURPOSE OF PROMOTING, ENCOURAGING, AND FACILITATING CLEAN ENERGY IMPROVEMENTS WITHIN ITS GEOGRAPHIC AREA; TO PROVIDE REQUIREMENTS TO BE INCLUDED IN THE ORDINANCE; TO PROVIDE THAT MEMBERS OF THE DISTRICT AND OWNERS OF QUALIFYING REAL PROPERTY MAY VOLUNTARILY EXECUTE A WRITTEN AGREEMENT TO PARTICIPATE IN THE COMMERCIAL‑PROPERTY ASSESSED CLEAN ENERGY PROGRAM; TO PROVIDE THAT THE GOVERNING BODY HAS THE AUTHORITY TO IMPOSE AN ASSESSMENT ON THE QUALIFYING REAL PROPERTY; TO PROVIDE THAT THE ASSESSMENT SHALL CONSTITUTE A C‑PACE LIEN AGAINST THE QUALIFYING REAL PROPERTY UNTIL PAID, SUBJECT TO THE CONSENT OF EXISTING MORTGAGEES; TO PROVIDE HOW CLEAN ENERGY IMPROVEMENTS MAY BE FINANCED; TO PROVIDE THAT CLEAN ENERGY IMPROVEMENTS MUST MEET ALL APPLICABLE SAFETY, PERFORMANCE, INTERCONNECTION, AND RELIABILITY STANDARDS; AND TO DEFINE NECESSARY TERMS.

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

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.

**ADOPTED**

H. 3916 -- Reps. Erickson, Collins, Bernstein, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb‑Hunter, Cogswell, Cole, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, 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, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson‑Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM, TO COMMEND THE IMPORTANT WORK BEING DONE TO COMBAT THIS SERIOUS PROBLEM, AND TO DECLARE TUESDAY, APRIL 4, 2017, AS “CHILDREN’S ADVOCACY CENTER DAY” IN SOUTH CAROLINA.

The Resolution was adopted, order returned to the House.

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

**MOTION ADOPTED**

At 12:05 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.**

**CARRIED OVER**

(R2, S310) -- Senator Sheheen: AN ACT TO PERMIT THE TOWN OF CAMDEN TO ANNEX CERTAIN REAL PROPERTY BY ORDINANCE UPON FINDING THAT THE PROPERTY IS BLIGHTED.

On motion of Senator MASSEY, the veto was carried over.

**MESSAGE FROM THE GOVERNOR**

**State of South Carolina**

**Office of the Governor**

March 13, 2017

The Honorable Kevin L. Bryant

President of the Senate

State House, First Floor, East Wing

Columbia, South Carolina 29201

Dear Mr. President and members of the Senate:

I am hereby vetoing and returning without my approval R-6, S. 457, which seeks to allow the Board of Trustees of the Fairfield County School District to receive a monthly stipend and to set the amount of the same. Under current law, the members of the board of trustees serve without pay but may receive a per diem allowed by law for boards and commissions and may be paid mileage and reimbursed for certain travel-related expenses.

At present, there is a patchwork of authorities governing South Carolina’s school districts. Consequently, school districts have varying degrees of fiscal autonomy, and there is no uniform method of compensating school board members. In some school districts, board members serve without pay, whereas in others, board members receive in excess of $10,000 per year. I believe that decisions of this nature --concerning the operation and financial affairs of local school districts and the compensation of their board members -- should be made primarily by the citizens of the affected communities and their local elected officials. Rather than micromanage matters such as the compensation of school board members, the State should allow local officials to make these decisions and allow their constituents to hold them accountable.

To this end, I submit that the General Assembly should enact statewide legislation that provides uniform authority and autonomy to South Carolina’s school districts, instead of the current practice of addressing, or micromanaging, school board operations through piecemeal and inconsistent local legislation.

For the foregoing reasons, I am respectfully vetoing R-6, S. 457 and returning the same without my signature.

Yours very truly,

Henry McMaster

**VETO OVERRIDDEN**

(R6, S457) -- 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.

The veto of the Governor was taken up for immediate consideration.

Senator FANNING argued in favor of overriding the veto.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Campbell Climer Corbin

Cromer Davis Fanning

Gambrell Gregory Grooms

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy Martin Massey

*Matthews, Margie* McElveen McLeod

Nicholson Peeler Reese

Rice Sabb Scott

Senn Setzler Shealy

Sheheen Talley Timmons

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**Motion Adopted**

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

**ADJOURNMENT**

At 12:14 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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